



NOTICE OF MEETING
PLANNING AND ZONING COMMISSION
6:00 P.M. – December 10, 2020

30360 Cougar Bend, Bulverde, TX 78163

MEETING AGENDA

1) CALL TO ORDER, PLEDGE OF ALLEGIANCE AND ROLL CALL

2) APPROVAL OF MINUTES

- a. November 12, 2020, Planning and Zoning Commission meeting.

3) REGULAR AGENDA ITEMS

- A. PC-17-17 (Preliminary): Consideration of a Preliminary Plat for 4S Ranch, Unit 10B Subdivision, generally located 1.7 miles southeast of the intersection of Mustang Vista and Stahl Lane.
- B. VR-20-01 (Variance): Consider a request by QuikTrip Corporation for a variance to Chapter 17, Section 17.07.003, related to Riparian Buffers, of the City of Bulverde Code of Ordinances, at the southwest corner of State Highway 46 and Stahl Lane.
- C. VR-20-06 (Variance): Consider a request by QuikTrip Corporation for a variance to Chapter 17, Section 17.06.010, related to Tree Protection Measures, of the City of Bulverde Code of Ordinances, at the southwest corner of State Highway 46 and Stahl Lane.
- D. VR-20-07 (Variance): Consider a request by QuikTrip Corporation for a variance to Chapter 17, Section 17.04.003, related to Cuts, and Section 17.04.004, related to Fills, of the City of Bulverde Code of Ordinances, at the southwest corner of State Highway 46 and Stahl Lane.

4) PUBLIC COMMENTS NOT RELATED TO POSTED AGENDA ITEMS

Persons desiring to address the Commission regarding issues not on the agenda will be received at this time. Those wishing to speak should present a completed comment form to the Chair prior to the meeting. Speakers are limited to 3 minutes and should conduct themselves in a civil manner. In accordance with the Texas Open Meetings Act, the Commission cannot take action on items not listed on the meeting agenda.

5) REPORT BY CITY OFFICIALS AND STAFF ON ITEMS OF COMMUNITY INTEREST

In accordance with Section 551.0415 of the Government Code, topics discussed under this item are limited to expressions of thanks, congratulations or condolence; information regarding holiday schedules; an honorary or salutary recognition of a public official, public employee or other citizen; a reminder about an upcoming event organized or sponsored by the governing body; information regarding a social, ceremonial or community event; and Announcements involving an imminent threat to the public health and safety of people in the political subdivision that has arisen after the posting of the agenda.

6) ADJOURNMENT

City Hall is wheelchair accessible and accessible parking spaces are available. Requests for accommodations must be made 48 hours prior to the meeting. Please contact the City Secretary at 830.980.8832 or FAX 830.438.4339 for information or assistance. I, the undersigned authority, do hereby certify that the above Notice of Meeting was posted on the bulletin board in front of Bulverde City Hall, which is readily accessible to the public at all times, by 5:00 pm on December 4, 2020.

Susana Ramos, Planning Director

These minutes have been prepared to satisfy the requirements of Section 551.021 of the Texas Government Code. Recordings of most City meetings are available at www.bulverdetx.gov

City of Bulverde Planning & Zoning Commission Minutes
Regular Commission Meeting: November 12, 2020

Meeting Duration: 6:02 p.m. to 9:15 p.m.

CALL TO ORDER

Commission Members Present: Jim Binkley (Chairman), Lindy Sisk (Vice Chairman), Dickie Lubel, Larry Sunn, David Bullock, Clint Hays, Joe Alexandre, and Seth Prescott (Alternate)

Commission Members Absent: None

City Staff Present: Susana Ramos (Planning Director), Adrian Garcia (City Engineer), Jason Rammel (City Attorney), Eron Spencer (Planner I), Pilar Pinto (Planner I)

APPROVAL OF MINUTES

- a. **Commissioner Bullock made a motion, seconded by Commissioner Lubel, to approve the minutes of the October 15, 2020 meeting. Motion passed 7-0.**

EXECUTIVE SESSION

None

REGULAR AGENDA ITEMS

The first agenda items considered were items E, F & G. Shortly thereafter, the Commission entered into a recess at 7:48 p.m. and reconvened at 7:57 p.m. to resume the meeting.

- A. PC-17-17 (MDP Amendment): Consider the approval of a Master Development Plan (MDP) Amendment for the Singing Hills Development, generally located at the northwest corner of Hwy 46 and US Hwy 281. ***Director Ramos presented the staff report for this agenda item to the Commission. Paul Landa, a representative of MTR Engineers, answered questions from Planning & Zoning Commissioners regarding this plat. After further discussion, Commissioner Sunn made a motion, seconded by Commissioner Lubel, to recommend approval of the Singing Hills Master Development Plan Amendment. Motion passed 7-0.***
- B. PC-20-21 (Final Plat): Consider a Final Plat for the Goldsmith – Unit 1 Subdivision, generally located 1.5 miles West of the intersection of East Ammann Rd and Bulverde Rd. ***Director Ramos presented the staff report for this agenda item to the Commission. Caleb Chance, a representative of Pape-Dawson Engineers, answered questions from Planning & Zoning Commissioners regarding this plat. After further discussion, Commissioner Sunn made a motion, seconded by Vice Chairman Sisk, to recommend denial of the Goldsmith – Unit 1 Final Plat. Motion passed 7-0.***
- C. PC-20-22 (Preliminary Plat): Consideration of a Preliminary Plat for 4S Ranch Unit – 10A & Mustang Vista Phase 6 Subdivision, generally located 1.7 miles southeast of the intersection of Mustang Vista and Stahl Lane. ***Director Ramos presented the staff report for this agenda item to the Commission. Dane Wright, a representative of Pape-Dawson Engineers, answered questions from Planning & Zoning Commissioners regarding this plat. After questions and discussion, Commissioner Hays made a motion, seconded by Commissioner Sunn, to recommend approval of the 4S Ranch Unit – 10A & Mustang Vista Phase 6 Preliminary Plat. Motion passed 7-0.***
- D. PC-20-23 (Final Plat): Consideration of a Final Plat (Revision) for Belle Oaks Ranch, Phase V, generally located on the east side of Blanco Road approximately 1.2 miles south of State Highway 46. ***Director Ramos presented the staff report for this agenda item to***

the Commission. Dan Mullins answered questions from Planning & Zoning Commissioners regarding this plat. After further discussion, Commissioner Sunn made a motion, seconded by Commissioner Bullock, to recommend approval of the Belle Oaks Ranch, Phase V Final Plat.

- E. VR-20-01 (Variance): Consider a request by QuikTrip Corporation for a variance to Chapter 17, Section 17.07.003, related to Riparian Buffers, of the City of Bulverde Code of Ordinances, at the southwest corner of State Highway 46 and Stahl Lane. ***Director Ramos presented the staff report for this agenda item to the Commission. JD Dudley, a representative of QuikTrip, gave a PowerPoint presentation on the proposed variance requests. After discussion and public comments made by 12 citizens, Commissioner Bullock made a motion, seconded by Commissioner Sisk, to table this item. Motion passed 6-1. (Commissioner Alexandre voted against this item)***
- F. VR-20-06 (Variance): Consider a request by QuikTrip Corporation for a variance to Chapter 17, Section 17.06.010, related to Tree Protection Measures, of the City of Bulverde Code of Ordinances, at the southwest corner of State Highway 46 and Stahl Lane. ***Director Ramos presented the staff report for this agenda item to the Commission. JD Dudley, a representative of QuikTrip, gave a PowerPoint presentation on the proposed variance requests. After discussion and public comments made by 12 citizens, Commissioner Bullock made a motion, seconded by Commissioner Hays, to table this item. Motion passed 6-1. (Commissioner Alexandre voted against this item)***
- G. VR-20-07 (Variance): Consider a request by QuikTrip Corporation for a variance to Chapter 17, Section 17.04.003, related to Cuts, and Section 17.04.004, related to Fills, of the City of Bulverde Code of Ordinances, at the southwest corner of State Highway 46 and Stahl Lane. ***Director Ramos presented the staff report for this agenda item to the Commission. JD Dudley, a representative of QuikTrip, gave a PowerPoint presentation on the proposed variance requests. After discussion and public comments made by 12 citizens, Commissioner Bullock made a motion, seconded by Commissioner Sisk, to table this item. Motion passed 6-1. (Commissioner Alexandre voted against this item)***
- H. CA-20-05 (Containers): Hold a public hearing and consideration of an ordinance amending the Zoning Ordinance to define “Portable Storage Container”, adding Section 14.04.004, regulating Portable Storage Containers and amending Section 14.14.002 pertaining to Outdoor Storage; repealing conflicting ordinances; providing a severability clause; and providing an effective date. ***Director Ramos presented the staff report for this agenda item to the Commission. City staff answered questions from Planning & Zoning Commissioners regarding the proposed ordinance. Public comments by Tom Hackleman were in opposition to the ordinance. After further discussion, Commissioner Bullock made a motion, seconded by Vice Chairman Sisk, to recommend approval of the ordinance subject to some minor revisions. Motion passed 7-0.***

PUBLIC COMMENTS

None

REPORT BY CITY OFFICIALS AND STAFF ON ITEMS OF COMMUNITY INTEREST

None

ADJOURNMENT

There being no further business to come before the Commission, the meeting adjourned at 8:14 p.m. I certify that the above minutes were approved by the Commission on November 12, 2020.

Maria Franco, City Secretary



PLANNING AND ZONING COMMISSION ITEM:
PC-20-45

PRELIMINARY PLAT

4S Ranch Unit 10B

MEETING DATE: December 10, 2020

DEPARTMENT: Planning & Development

PRESENTED BY: Susana Ramos, AICP, Planning Director

REQUEST:

Consideration of a Preliminary Plat for 4S Ranch, Unit 10B Subdivision, generally located 1.7 miles southeast of the intersection of Mustang Vista and Stahl Lane.

APPLICANT:

Lennar Homes of Texas Land and Construction, LTD
1922 Dry Creek Way, Ste. 101
San Antonio, TX 78259

PROPERTY INFORMATION:

Owner: Lennar Homes of Texas Land and Construction, LTD
Legal Description: 36.167 ACRE TRACT OF LAND INCLUSIVE OF A 0.058 ACRE RIGHT-OF-WAY DEDICATION BEING OUT OF THAT 753.635 ACRES CONVEYED TO LENNAR HOMES OF TEXAS LAND AND CONSTRUCTION LTD IN DEED RECORDED IN DOCUMENT 201506007928, OF THE OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS. OUT OF THE MARIA JAMISON SURVEY NO. 697, ABSTRACT 298, AND TE JOHN BYLAND SURVEY NO. 438, ABSTRACT 50, IN COMAL COUNTY TEXAS.

Size: 36.167 acres; 50 lots

Existing Land Use: Undeveloped

Existing Zoning: Extraterritorial Jurisdiction (ETJ)

Proposed Land-Use: Single Family Residential

SUMMARY:

This is a proposed preliminary plat for 4S Ranch, Unit 10B Subdivision development, for which a Development Agreement was approved in December 2014 and Master Development Plan (MDP) subsequently approved in 2015.

This proposed Preliminary Plat is for approximately 36.167 acres of vacant property and establishes 50 single family residential lots. The density class for this plat is High Density.

ANALYSIS:

The proposed subdivision lies completely outside the City Limits. Water service will be provided by the Canyon Lake Water Service Company. Sewer Service will be provided by the Guadalupe Blanco River Authority. Electric Service will be provided by CPS Energy

With approval of the Preliminary Plat, the developer will continue with the design of the subdivision phase. During design, some minor changes to the plat may occur to avoid conflicts, reduce slopes, etc. by slightly altering the roadway alignment. Such minor changes, provided they do not substantially deviate from the Preliminary Plat, will be incorporated into the Final Plat. The Planning and Zoning Commission will also review and approve the Final Plat. If there is a substantial deviation from the Preliminary Plat, then the developer will be required to submit a new Preliminary Plat for review and approval.

Half Associates and the City of Bulverde Planning Department have reviewed the proposed preliminary plat and related required documents.

Therefore, Staff recommends **APPROVAL** of this Preliminary Plat.

ATTACHMENTS:

- Application
- Preliminary Plat
- Comment Letter



APPLICATION FOR PRELIMINARY PLAT

Planning & Development Department
 30360 Cougar Bend, Bulverde, TX 78163
 Telephone: 830-438-3612 - Fax: 830-438-4339
www.bulverdetx.gov

ALL APPLICATIONS SHALL BE ACCEPTED BY APPOINTMENT ONLY DURING A PRE-APPLICATION CONFERENCE ON THE DATES SPECIFIED IN PAGE 2 OF THIS APPLICATION. TO SCHEDULE AN APPOINTMENT PLEASE CONTACT THE BULVERDE PLANNING & DEVELOPMENT DEPARTMENT.

1. Name of Subdivision: _____ Unit No _____
 Location Description/Nearest Intersection: _____

2. Owner/Applicant: _____
 Address: _____ Email: _____
 Telephone: _____ Fax: _____ Mobile: _____
Note: If applicant is person other than owner, a letter of authorization must be provided from owner.

3. Licensed Engineer/Surveyor (technical contact): _____
 Address: _____ Email: _____
 Telephone: _____ Fax: _____ Mobile: _____

4. Property Details:

City Limits:	<input type="checkbox"/> In <input type="checkbox"/> Out (ETJ)	Water Source:	<u>CLWSC</u>
Commercial:	<input type="checkbox"/> Yes <input type="checkbox"/> No	Sewage Treatment:	<u>GBRA</u>
Residential:	<input type="checkbox"/> Yes <input type="checkbox"/> No	TxDOT Frontage:	<input type="checkbox"/> Yes <input type="checkbox"/> No
No. of Lots:	<u>50</u>	100-Year Floodplain:	<input type="checkbox"/> Yes <input type="checkbox"/> No
Total Acreage without floodplain:	_____	Edwards Aquifer Zone:	<input type="checkbox"/> Recharge
Density Class:	_____		<input type="checkbox"/> Contributing
Zoning Class:	<u>Single Family</u>		

The undersigned agrees to comply with all platting and subdivision requirements of the City of Bulverde, and hereby authorizes the surveyor/engineer to record the approved final plat. The undersigned agrees to pay the appropriate fees as outlined in the Planning and Development Fee Schedule and agrees to pay fees for any additional review requiring consultation with City Consultants, including involvement of a contract engineer in a predevelopment conference. To the extent possible, City Staff will provide the Owner/Applicant with an estimate of fees should outside consultation be required.

DocuSigned by:

 904C110AE8D14AF...

11/9/2020

Signature of Owner/Applicant

Date

Fees on Page 2

Fees:

Preliminary Plats

- \$1250.00 + \$15.00 per lot single family; \$30.00 per acre for non-single family.

Traffic Impact Analysis (TIA) Review

- \$1250.00 - Minor TIA
- \$2500.00 - Major TIA

*Traffic Impact Analysis Review Fee paid with 4S Ranch Unit-7C Preliminary Plat. The Same Traffic Impact Analysis is being submitted for this plat.

Drainage Analysis Review Tier 1

- \$750

Drainage Analysis Review Tier 2 single family residential

- \$1500 – (0-5 acres)
- \$2500 + \$10/lot – (5+ acres)

*Drainage Analysis Review Fee paid with 4S Ranch Phase 5 - Drainage Analysis. The Same Drainage Analysis is being submitted for this plat.

Drainage Analysis Review Tier 2 Commercial/Industrial/Multi-Family

- \$1750 - (0-5 acres)
- \$2500 + \$10/acre (5+ acres)

SUBMITTAL DATES: OCTOBER 2019 – DECEMBER 2020

Planning & Zoning Meeting	City Council Meeting	Submittal Date
OCTOBER 10, 2019	NOVEMBER 12, 2019	SEPTEMBER 12, 2019
NOVEMBER 14, 2019	DECEMBER 10, 2019	OCTOBER 15, 2019
DECEMBER 12, 2019	JANUARY 14, 2020	NOVEMBER 13, 2019
JANUARY 16, 2020	FEBRUARY 11, 2020	DECEMBER 17, 2019
FEBRUARY 13, 2020	MARCH 10, 2020	JANUARY 15, 2020
MARCH 12, 2020	APRIL 14, 2020	FEBRUARY 11, 2020
APRIL 16, 2020	MAY 12, 2020	MARCH 17, 2020
MAY 14, 2020	JUNE 9, 2020	APRIL 14, 2020
JUNE 11, 2020	JULY 14, 2020	MAY 12, 2020
JULY 16, 2020	AUGUST 11, 2020	JUNE 16, 2020
AUGUST 13, 2020	SEPTEMBER 8, 2020	JULY 14, 2020
SEPTEMBER 10, 2020	OCTOBER 13, 2020	AUGUST 11, 2020
OCTOBER 15, 2020	NOVEMBER 10, 2020	SEPTEMBER 15, 2020
NOVEMBER 12, 2020	DECEMBER 8, 2020	OCTOBER 13, 2020
DECEMBER 10, 2020	JANUARY 12, 2021	NOVEMBER 10, 2020



Planning and Development Preliminary Plat Application Checklist

ALL SUBMITTALS MUST FOLLOW THE FOLLOWING REQUIREMENTS TO BE ACCEPTED BY THE CITY OF BULVERDE FOR INITIAL REVIEW. REFER TO CHAPTER 10 AND CHAPTER 17 FOR FULL PLAT DOCUMENT AND SUPPORTING DOCUMENTATION REQUIREMENTS.

- 2 Copies of the Preliminary Plat
- One electronic copy of each document required below and plat drawing(s) in PDF format.
- A check or money order for the platting fee, review fee and other required fees.
 - Plat Application & Review Fee
 - SWMP Review Fee
 - TIA Fee
- 2 copies of the Utility Layout showing all proposed utilities and easements
- 2 copies of the Traffic Impact Analysis
- 1 copy of the approved Floodplain Development Permit from Comal County if subdivision includes property within the ETJ.
- 2 copies of the Drainage Study
- 2 copies of the Water Study and Water Supply Certification as applicable
- 2 copies of the Sewer Study as applicable
- 2 copies of the Environmental Assessment
- Slope Map
- Riparian Buffer Exhibit
- Tree Protection, Replacement and Mitigation Plan
- Certification by all utilities that will provide service to the proposed subdivision and all entities with regulatory authority pertaining to the proposed subdivision including but not limited to the following.
 - Electric Utility
 - Gas Utility
 - Public Water System
 - Public Sewer System
 - Telephone Utility
 - Cable TV Utility
 - United States Postal Service
 - Emergency Services
 - TxDOT
 - Comal County
 - TCEQ
 - Edwards Aquifer Authority
 - Other agencies or entities having jurisdiction

- Evidence that the applicant has submitted the information required above to the utilities and entities described above
- Variance Requests (if any)
- Letter of Agent or other power of attorney authorizing signature of Owner on plat
- Other applicable legal documents including deed restrictions, homeowner’s association documents, etc.
- Verification of closure of the outer boundary of the plat
- For plats in the ETJ, provide a copy of an approved PIPROW permit from Comal County for any utilities, landscaping, street lighting, or other private features located in the public right-of-way
- If utility services must be extended beyond the outer boundary of the proposed subdivision across privately owned land to provide service to the lots in the proposed subdivision, then those utility service extensions must be contained in easements. Copies of the recorded easements for said utility extensions must be provided along with a map view showing the extensions from the outer boundary of the proposed subdivision to their ultimate connection points to be able to provide service.
- Lienholder’s acknowledgement (if applicable)

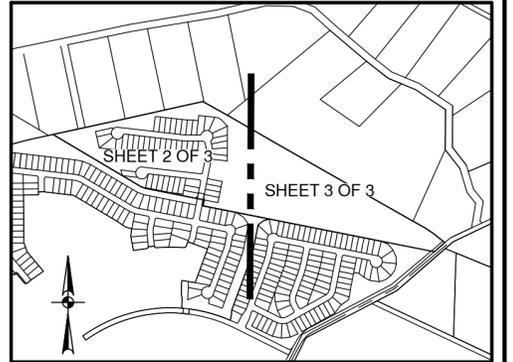
ADDITIONAL COMMENTS

FOR OFFICE USE ONLY:		
<input type="checkbox"/> Approved (Assign Case Number)		
<input type="checkbox"/> Returned (Provide Comments)		
Reviewed by:	Date:	Case Number:

**Plat submittals must follow format outlined in Pages 3 and 4 of this application.



SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH | DALLAS
2000 NW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.9000
TBPE FIRM REGISTRATION #470 | TBPLS FIRM REGISTRATION #10028800
DATE OF PREPARATION: November 24, 2020

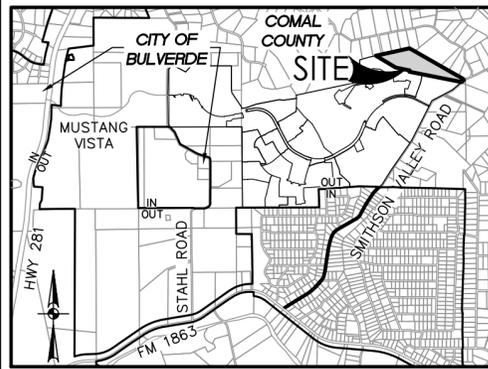


INDEX MAP
SCALE: 1" = 1000'

SUBDIVISION PLAT OF 4S RANCH, UNIT 10B

A 36.167 ACRE TRACT OF LAND INCLUSIVE OF A 0.058 ACRE RIGHT-OF-WAY DEDICATION BEING OUT OF THAT 753.635 ACRES CONVEYED TO LENNAR HOMES OF TEXAS LAND AND CONSTRUCTION LTD IN DEED RECORDED IN DOCUMENT 201506007928, OF THE OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS, OUT OF THE MARIA JAMISON SURVEY NO. 697, ABSTRACT 298, AND THE JOHN BYLAND SURVEY NO. 438, ABSTRACT 50, IN COMAL COUNTY, TEXAS.

OPEN SPACE NOTE:
LOTS 901 AND 902, BLOCK 57, ARE DESIGNATED AS OPEN SPACE AND AS A LANDSCAPE, DRAINAGE, SEWER, WATER, GAS, ELECTRIC, TELEPHONE AND CABLE TV EASEMENT.



LOCATION MAP
NOT-TO-SCALE

MINIMUM FINISHED FLOOR ELEVATION NOTE:

THE MAXIMUM WATER SURFACE ELEVATION DURING THE 100-YEAR STORM EVENT SHALL BE NO LESS THAN TWO FEET BELOW THE FINISHED FLOOR ELEVATION OF ADJACENT RESIDENTIAL DWELLING AND PUBLIC, COMMERCIAL, AND INDUSTRIAL BUILDINGS.

C.P.S. NOTES:

- 1. THE CITY OF SAN ANTONIO AS PART OF ITS ELECTRIC AND GAS SYSTEM (CITY PUBLIC SERVICE ENERGY) 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," "OVERHANG EASEMENT," "UTILITY EASEMENT," AND "TRANSFORMER EASEMENT" FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, RECONSTRUCTING, MAINTAINING, REMOVING, INSPECTING, PATROLLING, AND ERECTING POLES, HANGERS, OR BURYING WIRES, CABLES, CONDUITS, PIPELINES OR TRANSFORMERS, EACH WITH ITS NECESSARY APPURTENANCES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER GRANTORS ADJACENT LAND, THE RIGHT TO RELOCATE SAID FACILITIES WITHIN SAID EASEMENT AND RIGHT-OF-WAY AREAS, AND THE RIGHT TO REMOVE FROM SAID 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 AREA.
- 2. ANY CPS ENERGY MONETARY LOSS RESULTING FROM MODIFICATIONS REQUIRED OF CPS EQUIPMENT, LOCATED WITHIN SAID EASEMENT, DUE TO GRADE CHANGES OR GROUND ELEVATION ALTERATIONS SHALL BE CHARGED TO THE PERSON OR PERSONS DEEMED RESPONSIBLE FOR SAID GRADE CHANGES OR GROUND ELEVATION ALTERATION.
- 3. THIS PLAT DOES NOT 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 UNDERGROUND ELECTRIC AND GAS FACILITIES.
- 5. ROOF OVERHANGS ARE ALLOWED WITHIN THE 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.

GBRA NOTES:

- 1) GBRA (GUADALUPE-BLANCO RIVER AUTHORITY) IS HEREBY DEDICATED THE EASEMENTS AND RIGHTS-OF-WAY IN THE AREAS DESIGNATED ON THIS PLAT AS "SANITARY SEWER" FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, RECONSTRUCTING, OPERATING, MAINTAINING, INSPECTING, REPAIRING, REMOVING, AND RELOCATING BURIED AND/OR EXPOSED SANITARY SEWER FACILITIES AND APPURTENANCES.
- 2) TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS, GBRA SHALL HAVE THE RIGHT TO REMOVE SAID LANDS OF ALL TREES OR PARTS THEREOF, OR ANY OTHER OBSTRUCTIONS WHICH MAY ENDANGER, OR INTERFERE WITH MAINTENANCE OF, THE FACILITIES AND APPURTENANCES.
- 3) OTHER UTILITIES, STRUCTURES, GRADING, DRAINAGE, DETENTION/RETENTION PONDS, LANDSCAPING, TREES, ROADS, PARKING LOTS, FENCES, WALLS, CONSTRUCTION OF ANY TYPE, OR ANY OTHER IMPROVEMENTS OR OBSTRUCTIONS, ARE NOT ALLOWED WITHIN 10 FEET OF GBRA UTILITIES.
- 4) DESIGNS FOR ANY PROPOSED ALTERATIONS OR CROSSINGS OF GBRA EASEMENTS OR GBRA UTILITIES MUST BE APPROVED IN WRITING BY GBRA AND THE INSTALLATION OF SUCH MUST BE INSPECTED AND APPROVED BY GBRA.
- 5) MAINTENANCE OF EASEMENTS IS THE RESPONSIBILITY OF THE PROPERTY OWNER.
- 6) THE PROPERTY OWNER MUST INSTALL 16 FOOT GATES IN ANY FENCES THAT CROSS GBRA UTILITIES; GATES MUST BE CENTERED ACROSS GBRA UTILITIES.
- 7) CUSTOMER SANITARY SEWER SERVICES SHALL NOT BE INSTALLED WITHIN FENCED AREAS.

SURVEYOR'S NOTES:

- 1. MONUMENTS WERE FOUND OR SET AT EACH CORNER OF THE SURVEY BOUNDARY OF THE SUBDIVISION AS NOTED. MONUMENTS AND LOT MARKERS WILL BE SET WITH 1/2" IRON ROD WITH CAP MARKED "PAPE-DAWSON" OR MAG NAIL WITH DISK MARKED "PAPE-DAWSON".
- 2. COORDINATES SHOWN ARE BASED ON THE NORTH AMERICAN DATUM OF 1983 (NA 2011) EPOCH 2010.00 FROM THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE DISPLAYED IN GRID VALUES DERIVED FROM THE NGS COOPERATIVE CORRS NETWORK.
- 3. DIMENSIONS SHOWN ARE SURFACE (SCALE FACTOR = 0.99983002889).
- 4. BEARINGS ARE BASED ON THE NORTH AMERICAN DATUM OF 1983 NAD83 (NA2011) EPOCH 2010.00, FROM THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE.

MISCELLANEOUS NOTE:

- 1. FUTURE DEVELOPMENT IS SUBJECT TO THE CITY OF BULVERDE CODE OF ORDINANCES.
- 2. CONTOURS SHOWN ARE BASED OFF OF AN ON THE GROUND SURVEY. THE DATUM USED TO GENERATE THE CONTOURS IS THE NORTH AMERICAN DATUM OF 1983 NAD83 (NA2011) EPOCH 2010.00, FROM THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE.
- 3. TOTAL LENGTH OF ROADWAY DEDICATION IN 4S RANCH, UNIT 10B IS 1826 LINEAR FEET.
- 4. 4S RANCH, UNIT 10B LIES WITHIN THE CITY OF BULVERDE'S ETJ AND WITHIN THE EDWARDS AQUIFER CONTRIBUTING ZONE.

STATE OF TEXAS
COUNTY OF BEXAR

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

EUGENE H. DAWSON III
LICENSED PROFESSIONAL ENGINEER
PAPE-DAWSON ENGINEERS, INC.
2000 NW LOOP 410
SAN ANTONIO, TEXAS 78213

STATE OF TEXAS
COUNTY OF BEXAR

I, THE UNDERSIGNED ERIC J. SNELL, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECTLY MADE UNDER MY SUPERVISION AND IN COMPLIANCE WITH CITY AND STATE SURVEY REGULATIONS AND LAWS AND MADE ON THE GROUND AND THAT THE CORNER MONUMENTS WERE PROPERLY PLACED UNDER MY SUPERVISION.

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.

ERIC J. SNELL
REGISTERED PROFESSIONAL LAND SURVEYOR, #6527
PAPE-DAWSON ENGINEERS, INC.
2000 NW LOOP 410
SAN ANTONIO, TEXAS 78213

LINE TABLE		
LINE #	BEARING	LENGTH
L1	S60°41'39"E	118.25'
L2	S56°18'14"E	73.59'
L3	S51°37'14"E	128.82'
L4	N11°16'03"E	50.00'
L5	N78°43'57"W	50.00'
L6	N68°58'57"W	35.74'
L7	N11°16'03"E	142.41'
L8	N11°35'54"W	29.78'
L9	N89°13'54"W	143.96'
L10	S89°13'54"E	121.12'
L11	S11°35'54"E	33.77'
L12	N13°43'21"W	48.00'
L13	S44°34'28"E	12.28'
L14	N77°20'59"E	11.96'
L15	S89°13'54"E	45.24'
L16	S83°21'13"E	45.00'
L17	S60°46'01"E	28.01'
L18	S44°15'06"E	78.95'
L19	N11°16'03"E	115.94'

CURVE TABLE					
CURVE #	RADIUS	DELTA	CHORD BEARING	CHORD	LENGTH
C1	15.00'	94°37'16"	N36°02'35"W	22.05'	24.77'
C2	14.00'	77°21'53"	S57°57'51"W	17.50'	18.90'
C3	50.00'	257°21'53"	N32°02'08"W	78.06'	224.59'
C4	15.00'	85°22'44"	N53°57'25"E	20.34'	22.35'
C5	175.00'	22°51'57"	N0°09'55"W	69.38'	69.84'
C6	25.00'	77°38'00"	N50°24'54"W	31.34'	33.87'
C7	225.00'	5°52'41"	N86°17'33"W	23.07'	23.08'
C8	15.00'	76°39'30"	S58°19'03"W	18.61'	20.07'
C9	50.00'	256°39'31"	N31°40'56"W	78.45'	223.98'
C10	175.00'	5°52'41"	S86°17'33"E	17.95'	17.95'
C11	15.00'	67°02'52"	N57°14'42"E	16.57'	17.55'
C12	50.00'	196°42'03"	S57°55'43"E	98.94'	171.65'
C13	15.00'	52°01'12"	S14°24'43"W	13.16'	13.62'
C14	225.00'	22°51'57"	S0°09'55"E	89.20'	89.79'

THIS PLAT OF 4S RANCH, UNIT-10B HAS BEEN SUBMITTED TO AND CONSIDERED BY THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF BULVERDE, TEXAS AND IS HEREBY APPROVED BY SUCH COMMISSION.

DATED THIS _____ DAY OF _____, YEAR _____

BY: _____
CHAIRPERSON

STATE OF TEXAS
COUNTY OF BEXAR

KNOWN ALL MEN BY THESE PRESENTS:

THE OWNERS OF THE LAND SHOWN ON THIS PLAT WHOSE NAMES ARE SUBSCRIBED HERETO, AND IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER ALL STREETS, PARKS, WATER, COURSES, DRAINS, EASEMENTS, AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

OWNER/DEVELOPER: LENNAR HOMES OF TEXAS LAND AND CONSTRUCTION, LTD.
A TEXAS LIMITED PARTNERSHIP
BY: U.S. HOME CORPORATION,
A DELAWARE CORPORATION
ITS GENERAL PARTNER
RICHARD MOTT, AUTHORIZED AGENT
1922 DRY CREEK WAY, SUITE 101
SAN ANTONIO, TEXAS 78259

STATE OF TEXAS
COUNTY OF BEXAR

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

NOTARY PUBLIC, BEXAR COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF COMAL

I, _____, COUNTY CLERK OF COMAL COUNTY, DO HEREBY

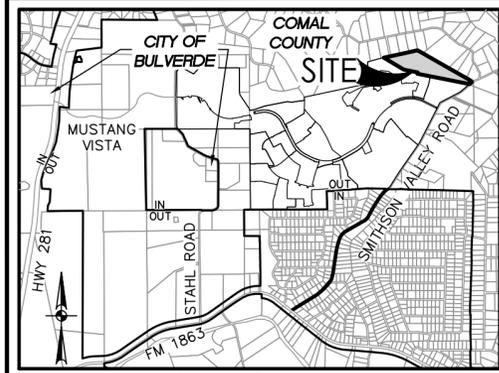
CERTIFY THAT THE FOREGOING INSTRUMENT WAS FILED FOR RECORD IN THE MAP

AND PLAT RECORDS, DOC # _____ OF COMAL COUNTY ON THE

____ DAY OF _____, A.D. 20____ AT _____ M.

COUNTY CLERK, COMAL COUNTY, TEXAS

BY: _____, DEPUTY



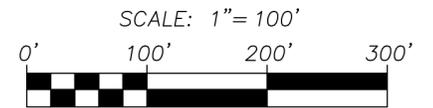
LOCATION MAP NOT-TO-SCALE

LEGEND

AC	ACRE(S)	VOL	VOLUME
BLK	BLOCK	PG	PAGE(S)
CB	COUNTY BLOCK	ROW	RIGHT-OF-WAY
DOC	DOCUMENT NUMBER	VAR WID	VARIABLE WIDTH
ESMT	EASEMENT	LF	LINEAR FEET
INT	INTERSECTION	-	REPETITIVE BEARING
GETCTV	GAS, ELECTRIC, TELEPHONE AND CABLE TELEVISION	●	FOUND 1/2" IRON ROD (UNLESS NOTED OTHERWISE)
OPR	OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS	○	SET 1/2" IRON ROD (PD)
MPR	MAP AND PLAT RECORDS OF COMAL COUNTY, TEXAS	○	SET 1/2" IRON ROD (PD)-ROW
---	1140 EXISTING CONTOURS		
---	1140 PROPOSED CONTOURS		
---	EFFECTIVE (EXISTING) FEMA 1% ANNUAL CHANCE (100-YR) FLOODPLAIN		
---	ORIGINAL SURVEY/COUNTY LINE CENTERLINE		
③	10' GETCTV EASEMENT	◇	50' GAS EASEMENT (VOL 192, PG 392, OPR) (VOL 200, PG 673, OPR)
⑪	15' GETCTV EASEMENT	◇	VAR WID DRAINAGE ESMT (4S RANCH, UNIT 9A, PLATTED CONCURRENTLY)
1	UNPLATTED 14.407 ACRES ALICIA A & CARMEN A MEDINA (DOC# 200506043790 OPR)	◇	100' ELECTRIC AND ROW ESMT (VOL 325, PGS 70-72, OPR)
2	STONEY RIDGE UNIT 1 (VOL 5, PGS 300-301 MPR)	◇	10' GETCTV ESMT (4S RANCH, UNIT 9B/9C & MUSTANG VISTA PHASE 5, PLATTED CONCURRENTLY)
3	LOT 902 BLK 57 OPEN SPACE (26.256 ACRES PERMEABLE) (SEE OPEN SPACE NOTE 1 OF 3)		
4	LOT 901 BLK 57 OPEN SPACE (0.230 ACRES PERMEABLE) (SEE OPEN SPACE NOTE 1 OF 3)		
7	FREDRICK WILLIAM FOERSTER SURVEY NO. 850 ABSTRACT - 879		
9	MARIA JAMISON SURVEY NO. 697 ABSTRACT - 298		
10	± 152 LF TO THE INT OF SHRUBLAND DR & COMPANION RD		

SUBDIVISION PLAT OF 4S RANCH, UNIT 10B

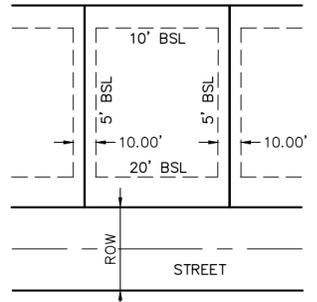
A 36.167 ACRE TRACT OF LAND INCLUSIVE OF A 0.058 ACRE RIGHT-OF-WAY DEDICATION BEING OUT OF THAT 753.635 ACRES CONVEYED TO LENNAR HOMES OF TEXAS LAND AND CONSTRUCTION LTD IN DEED RECORDED IN DOCUMENT 201506007928, OF THE OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS, OUT OF THE MARIA JAMISON SURVEY NO. 697, ABSTRACT 298, AND THE JOHN BYLAND SURVEY NO. 438, ABSTRACT 50, IN COMAL COUNTY, TEXAS.



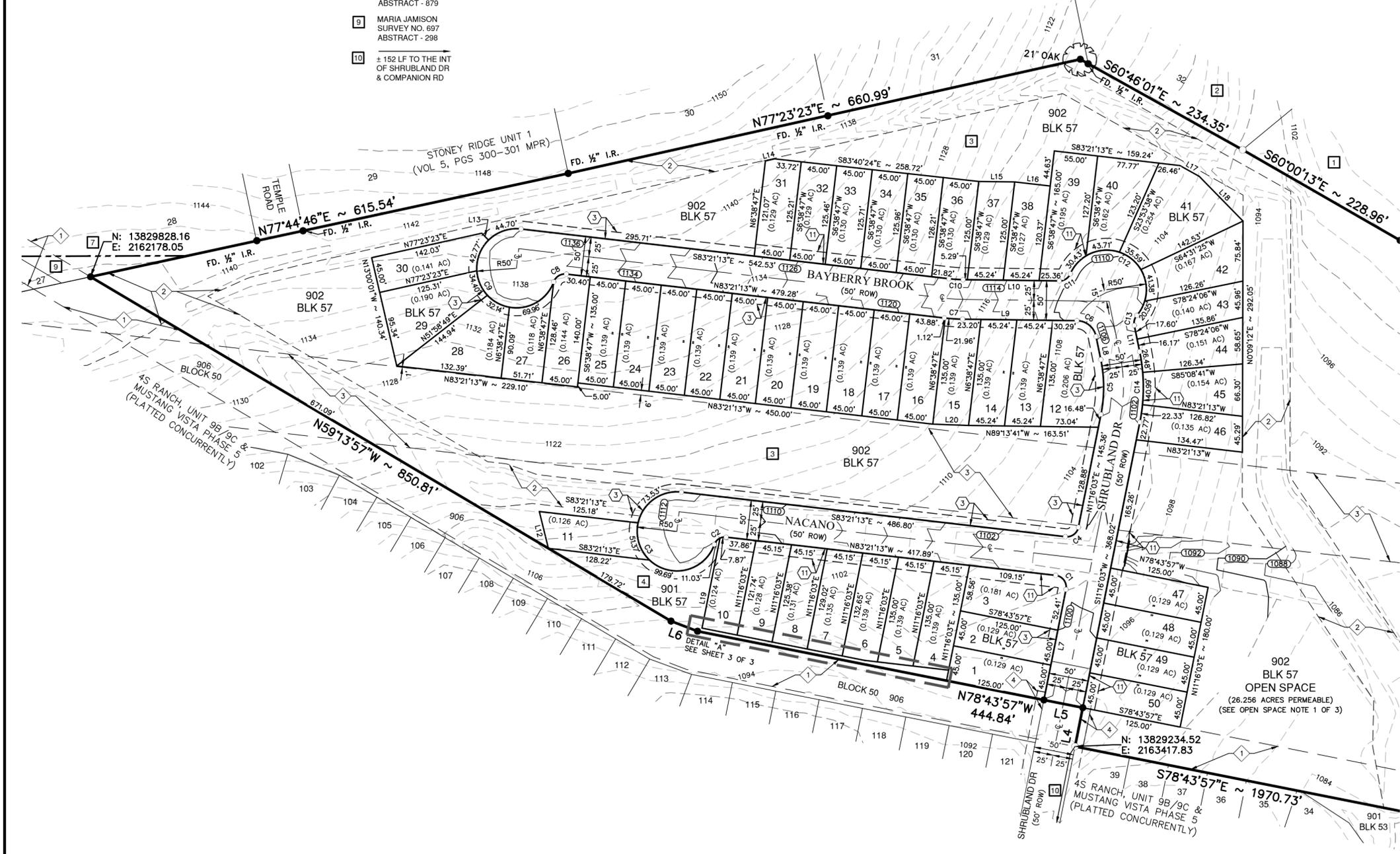
PAPE-DAWSON ENGINEERS

SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH | DALLAS
2000 HW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.9000
TBPE FIRM REGISTRATION #470 | TBPLS FIRM REGISTRATION #10028800
DATE OF PREPARATION: November 24, 2020

TYPICAL BUILDING SET-BACKS
FOR HIGH DENSITY CLASS LOTS SERVED BY BOTH A CENTRAL WATER SYSTEM AND CENTRAL SEWER SYSTEM IN THE CITY'S ETJ, THE MINIMUM SIDE SETBACK SHALL BE 5 FEET, THE MINIMUM FRONT SETBACK SHALL BE 20 FEET AND MINIMUM REAR SETBACK SHALL BE 10 FEET.

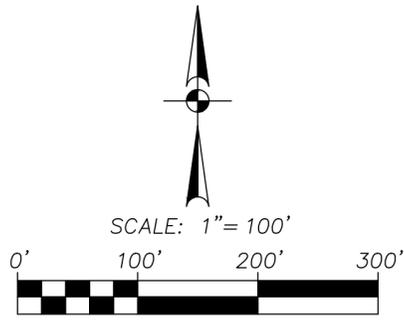


MATCHLINE "A" - SEE SHEET 3 OF 3





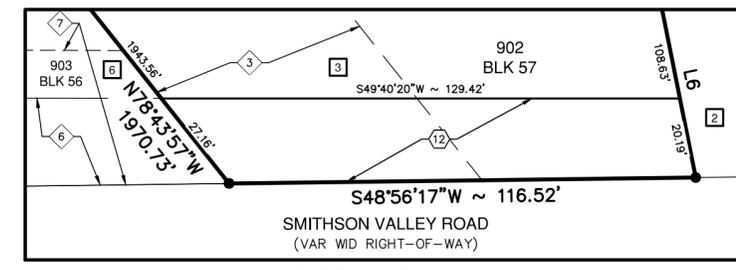
SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH | DALLAS
2000 NW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.9000
TBPB FIRM REGISTRATION #470 | TPLS FIRM REGISTRATION #10028800
DATE OF PREPARATION: November 24, 2020



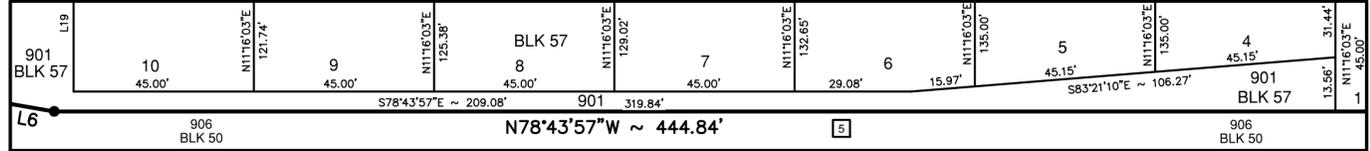
SUBDIVISION PLAT OF 4S RANCH, UNIT 10B

A 36.167 ACRE TRACT OF LAND INCLUSIVE OF A 0.058 ACRE RIGHT-OF-WAY DEDICATION BEING OUT OF THAT 753.635 ACRES CONVEYED TO LENNAR HOMES OF TEXAS LAND AND CONSTRUCTION LTD IN DEED RECORDED IN DOCUMENT 201506007928, OF THE OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS, OUT OF THE MARIA JAMISON SURVEY NO. 697, ABSTRACT 298, AND THE JOHN BYLAND SURVEY NO. 438, ABSTRACT 50, IN COMAL COUNTY, TEXAS.

TYPICAL BUILDING SET-BACKS
FOR HIGH DENSITY CLASS LOTS SERVED BY BOTH A CENTRAL WATER SYSTEM AND CENTRAL SEWER SYSTEM IN THE CITY'S ETJ, THE MINIMUM SIDE SETBACK SHALL BE 5 FEET, THE MINIMUM FRONT SETBACK SHALL BE 20 FEET AND MINIMUM REAR SETBACK SHALL BE 10 FEET.



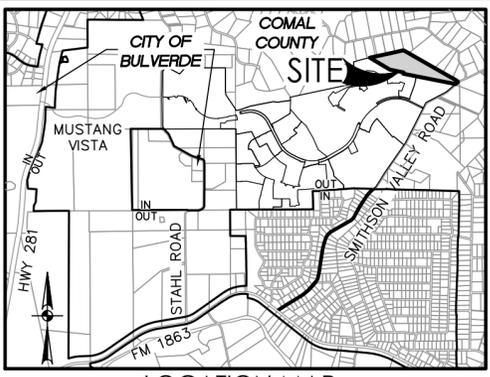
DETAIL "B"
SCALE: 1" = 30'
SEE THIS SHEET



DETAIL "A"
SCALE: 1" = 30'
SEE SHEET 2 OF 3

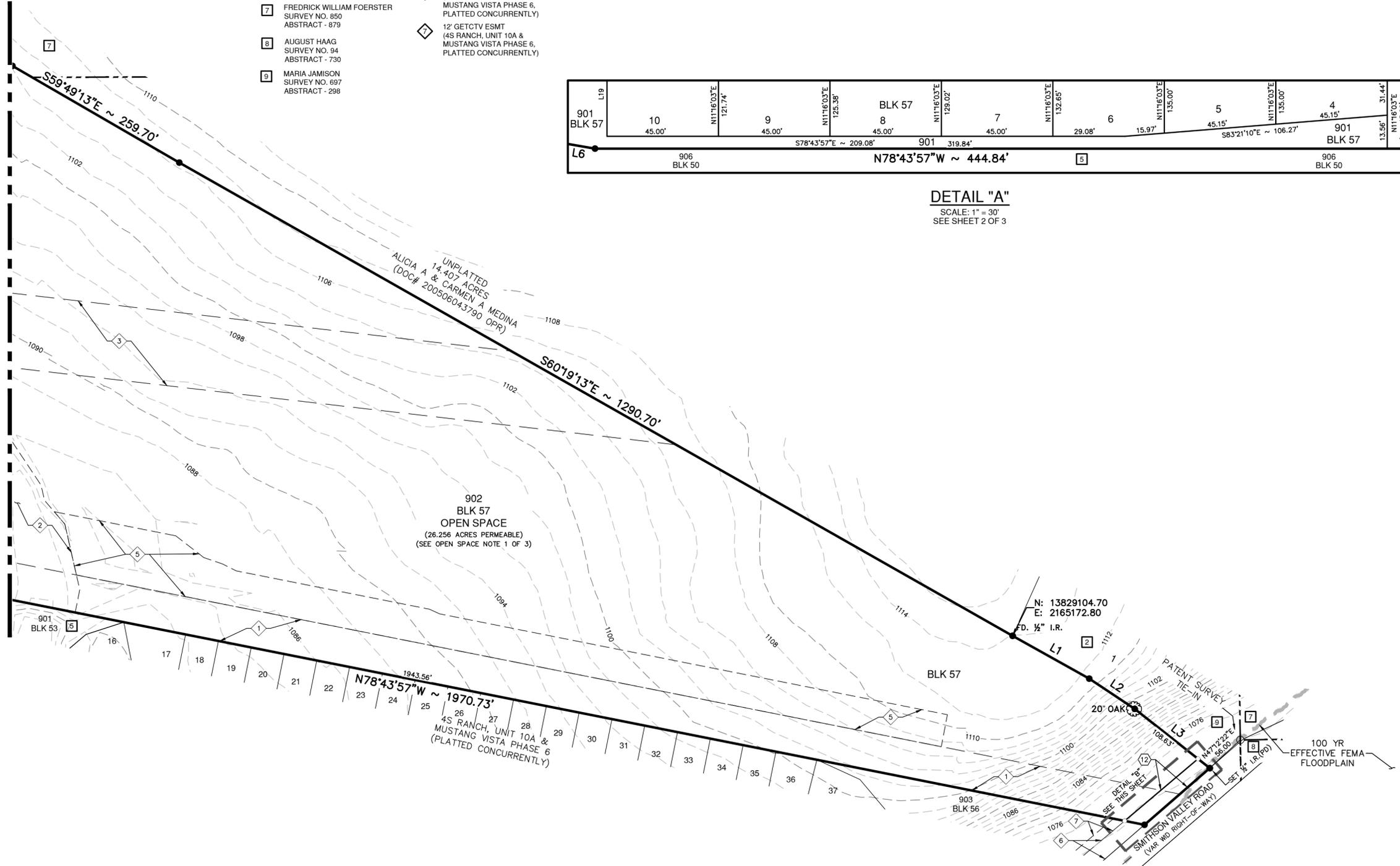
LEGEND

- | | | | |
|--------|--|---------|--|
| AC | ACRE(S) | VOL | VOLUME |
| BLK | BLOCK | PG | PAGE(S) |
| CB | COUNTY BLOCK | ROW | RIGHT-OF-WAY |
| DOC | DOCUMENT NUMBER | VAR WID | VARIABLE WIDTH |
| ESMT | EASEMENT | - | REPETITIVE BEARING AND/OR DISTANCE |
| INT | INTERSECTION | ● | FOUND 1/2" IRON ROD (UNLESS NOTED OTHERWISE) |
| GETCTV | GAS, ELECTRIC, TELEPHONE AND CABLE TELEVISION | ○ | SET 1/2" IRON ROD (PD) |
| OPR | OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS | ○ | SET 1/2" IRON ROD (PD)-ROW |
| MPR | MAP AND PLAT RECORDS OF COMAL COUNTY, TEXAS | | |
-
- | | | | | |
|-----|------|---|---|---|
| --- | 1140 | EXISTING CONTOURS | ◇ | 50' GAS EASEMENT (VOL 192, PG 392, OPR) (VOL 200, PG 673, OPR) |
| --- | 1140 | PROPOSED CONTOURS | ◇ | VAR WID DRAINAGE ESMT (4S RANCH, UNIT 9A, PLATTED CONCURRENTLY) |
| --- | | EFFECTIVE (EXISTING) FEMA 1% ANNUAL CHANGE (100-YR) FLOODPLAIN | ◇ | 100' ELECTRIC AND ROW ESMT (VOL 325, PGS 70-72, OPR) |
| --- | | ORIGINAL SURVEY/COUNTY LINE CENTERLINE | ◇ | VAR WID DRAINAGE ESMT (4S RANCH, UNIT 10A & MUSTANG VISTA PHASE 6, PLATTED CONCURRENTLY) |
| ⑫ | | VAR WID DEDICATION | ◇ | VAR WID ROW DEDICATION (4S RANCH, UNIT 10A & MUSTANG VISTA PHASE 6, PLATTED CONCURRENTLY) |
| ② | | STONEY RIDGE UNIT 1 (VOL 5, PGS 300-301 MPR) | ◇ | 12' GETCTV ESMT (4S RANCH, UNIT 10A & MUSTANG VISTA PHASE 6, PLATTED CONCURRENTLY) |
| ③ | | LOT 902 BLK 57 OPEN SPACE (26.256 ACRES PERMEABLE) (SEE OPEN SPACE NOTE 1 OF 3) | | |
| ⑤ | | 4S RANCH, UNIT 9B/9C & MUSTANG VISTA PHASE 5 (PLATTED CONCURRENTLY) | | |
| ⑥ | | 4S RANCH, UNIT 10A & MUSTANG VISTA PHASE 6 (PLATTED CONCURRENTLY) | | |
| ⑦ | | FREDRICK WILLIAM FOERSTER SURVEY NO. 850 ABSTRACT - 879 | | |
| ⑧ | | AUGUST HAAG SURVEY NO. 94 ABSTRACT - 730 | | |
| ⑨ | | MARIA JAMISON SURVEY NO. 697 ABSTRACT - 298 | | |



LOCATION MAP
NOT-TO-SCALE

MATCHLINE "A" - SEE SHEET 2 OF 3



REVIEW MEMORANDUM

TO: Bruna Spengler, P.E., CFM
BSpengler@pape-dawson.com
Pape-Dawson Engineering, Inc.
2000 NW Loop 410
San Antonio, TX 78213

FROM: Sam Edwards, PE, CFM
sedwards@halff.com

SUBJECT: 4S Ranch, Unit 10B
Preliminary Plat Acceptance

DATE: December 1, 2020

Halff Associates, on behalf of the City of Bulverde, has performed a review on the preliminary plat (dated 11/24/20) and supporting documents for the **4S Ranch, Unit 10B** development. The review was conducted relative to the requirements established in the Subdivision Ordinance of the City of Bulverde AND the Development Agreement dated December 31, 2014 (between the City of Bulverde and STAHL LANE, LTD.). The following items were reviewed, with resolved items noted in blue. Based on our review of the referenced documents, Halff Associates has no further comments and recommends approval of the 4S Ranch Unit 10B preliminary plat at the next available Planning & Zoning meeting.

Plat specifications, Ordinance Section 1.05(b)

1. Miscellaneous Note # 4 refers to Unit 10A & Mustang Vista Phase 6. – [comment resolved](#).

Plat Supporting Documents, Ordinance Section 1.04(c)

2. Fire hydrants should be spaced no more than 500' apart and 250' from end of cul-de-sac. Hydrant on Nacano more than 500' away from closest hydrant on Shrubland Dr (suggest moving hydrant at end of Nacano further east). – [comment resolved](#).

General Design 2.03(c)

No comments

Streets 2.04

No comments

Drainage Analysis

No comments (Phase 5, dated September 10, 2020, was reviewed and approved on 9/29/20).



PLANNING & ZONING COMMISSION ITEM
VR-20-01
VARIANCE
QuikTrip

MEETING DATE: December 10, 2020
DEPARTMENT: Planning & Development
PRESENTED BY: Susana Ramos, AICP, Director

REQUEST:

Consider a request by QuikTrip Corporation for a variance to Chapter 17, Section 17.07.003, related to Riparian Buffers, of the City of Bulverde Code of Ordinances, at the southwest corner of State Highway 46 and Stahl Lane.

OWNER:

Mandel Aaron Family Trust
11503 NW Military Highway
San Antonio, TX

APPLICANT:

QuikTrip Corporation
742 NW Loop 410, Suite 102
San Antonio, TX 78216

PROPERTY INFORMATION:

Address: Southwest corner of State Highway 46 and Stahl Lane
Legal Description: A-384 SUR-323 T MILLER, ACRES 9.7236
Owner: Mandel Aaron Family Trust
Existing Land Use: Undeveloped
Existing Zoning: C-2

PLANNING & ZONING COMMISSION ACTION:

At its November 12, 2020 regular meeting, the Planning & Zoning Commission voted (6-1) to table this item.

SUMMARY:

The applicant intends to develop a 9.74-acre tract of land into a 4,993 square foot convenience store with retail motor fuel sales at the southwest corner of State Highway 46 and Stahl Lane, within the City Limits of the City of Bulverde.

The property is currently zoned C-2. However, an annexation agreement for the subject property vested all but the first 240 feet of the property to C-3 zoning. City staff is aware that the applicant intends to apply for a Planned Development District zone change to allow the proposed use to be permitted on the entire 9.74-acre tract of land.

The City of Bulverde has advised the applicant of the requirements that must be adhered to during the development and construction process, including Chapter 10 (Subdivision Ordinance) and Chapter 17 (Environmental Protection Ordinance).

However, the applicant has decided to move forward with the following variance request:

Riparian Buffers. The applicant requests that the subject property be exempt from the riparian buffer requirements in Chapter 17, Section 17.07.003 of the Bulverde Code of Ordinances. **The proposed fuel canopy, underground storage tanks, and parking spaces would encroach onto the riparian buffer by approximately 500 square feet.**

The applicant has submitted statements of purpose for each variance request, which are attached to this staff report and provide more detail of their requests. The applicant shall present their case to the Planning & Zoning Commission for consideration during the meeting.

THE GRANTING OF THIS REQUESTED VARIANCE DOES NOT CONSTITUTE APPROVAL OF ANY OTHER VARIANCES WHICH MAY BE DEPICTED IN THE EXHIBITS ATTACHED TO THIS APPLICATION AND REPORT. ANY AND ALL OTHER VARIANCES FROM THE CODE OF ORDINANCES THAT DO NOT INCLUDE THIS REQUESTED VARIANCE WILL BE REQUESTED IN A SEPARATE APPLICATION AND APPROVAL PROCESS.

ANALYSIS:

Under Chapter 17, Section 17.07.003(a) of the Bulverde Code of Ordinances, *a riparian buffer of 60 feet on either side of the centerline of a watercourse within the city limits and ETJ that drains greater than 25 acres is hereby established.* Furthermore, Chapter 17, Section 17.07.003(b) states that, *no disturbance shall be permitted within a riparian buffer, except for certain instances when construction is necessary (i.e., roadways, pedestrian facilities, utility improvements, and drainage facilities).* **As shown in the attached site plan, parking spaces, underground storage tanks, and a fuel canopy would encroach onto the 60-foot riparian buffer. In addition, sixteen (16) protected trees within the riparian buffer would be removed.**

AUTHORITY OF THE PLANNING & ZONING COMMISSION:

Section 1.07 of the City of Bulverde Code of Ordinances states:

a) General.

(i) *Variations to the requirements of this ordinance may be granted by the City Council for nonprocedural items provided the City Council determines that undue hardship will result from strict compliance with the ordinance. A variance may be granted only when in harmony with the general purpose and intent of this ordinance so that the public health, safety and welfare may be secured and substantial justice*

done. In granting a variance, the City Council shall prescribe only conditions that it deems necessary to or desirable in the public interest.

(ii) In making the findings required herein, the City Council shall take into account the nature of the proposed land use, existing uses of land in the vicinity, the number of persons who will reside or work in the proposed subdivision, and the probable effect of such variance upon traffic conditions and upon the public health, safety, convenience and welfare in the vicinity. No variance shall be granted unless the City Council makes affirmative findings as to all of the following:

- 1) That there are special circumstances or conditions affecting the land involved such that strict application of the provisions of this ordinance would deprive the applicant of the reasonable use of the land;*
- 2) That the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant;*
- 3) That granting the variance will not be detrimental to the public health, safety or welfare, or injurious to other property in the area; and*
- 4) That granting of the variance will not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of this ordinance.*

ATTACHMENTS:

Application
Statements of Purpose
Site Plan Exhibits
Additional Exhibits



Application for Variance

30360 Cougar Bend, Bulverde, TX 78163
Telephone: 830-438-3612 - Fax: 830-438-4339
www.ci.bulverde.tx.us

Date: 10/8/20

Case No. _____

Applicant Information:

QuikTrip Corporation 469.766.8331 N/A
Name Phone Fax
742 NW Loop 410 Suite 102 San Antonio, TX 78216 jdudley@quiktrip.com
Address Email

Property Owner Information:

Mandel Aaron Family Trust 210.342.2255 N/A
Name Phone Fax
11503 NW Military Hwy marty@wenderrei.com
Address Email

** If property owner is not the applicant, a letter of authorization from the owner is required with application submittal.*

Property Identification:

Street Address: SWC of Hwy 46 & Stahl Rd.
Legal Description: Theodore Miller Survey No. 323, Abstract 384, Comal County, Texas
Zoning District Classification: C-3

Description of Request:

- Variance to Section 4.07 [4.08] Riparian Buffers of the City of Bulverde Code of Ordinances, which requires:
A riparian buffer of 60 feet on either side of the centerline of any watercourse within the city limits and the ETJ that drains greater than 25 acres is hereby established.
- Variance to Section 17.06.010 Tree protection measures of the City of Bulverde Code of Ordinances, which requires:
The planning and zoning commission shall review each permit application for majestic tree removal and make a recommendation to city council. City council shall then approve or disapprove the permit. A 3:1 mitigation amount is required for any majestic tree removed.
- Variance to Section 17.04 CUT AND FILL REQUIREMENTS of the City of Bulverde Code of Ordinances, which requires:
Cuts or other excavation associated with the preparation of land for development of lots and public improvements may not exceed four (4) feet in depth
- Variance to Section _____ of the City of Bulverde Code of Ordinances, which requires:

- Variance to Section _____ of the City of Bulverde Code of Ordinances, which requires:

The undersigned agrees to pay the **non refundable** application fee and any other applicable fees as outlined in the Planning and Development Fee Schedule and agrees to pay fees for any additional review requiring consultation with City Consultants, including involvement of a contract engineer in a predevelopment conference. To the extent possible, City Staff will provide the Owner/Applicant with an estimate of fees should outside consultation be required. The undersigned also acknowledges the City Staff may require additional appropriate information be submitted to aid in the review.

J. Dudley 10/8/20
Signature of Owner/Applicant Date

Fees:

Zoning and Plat Variance Review Fee - \$750.00 (per Section/Provision of the Code)

Variance Review Fee (all other Variances)- \$500.00 (per Section/Provision of the Code)

VARIANCE CRITERIA EXPLANATION FORM

(for Subdivision Code Variances Only)

(This Form is required with submittal of a Variance Application. If more than one variance is requested in an application, a separate Variance Criteria Explanation Form shall be required for each Variance. Please include additional pages as necessary.)

- 1) Describe the special circumstances or conditions affecting the land involved such that strict application of the provisions of this ordinance would deprive the reasonable use of the land.

Please see letter of intent.

- 2) Describe how the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant.

Please see letter of intent.

- 3) Describe how granting the variance will not be detrimental to the public health, safety or welfare, or injurious to other property in the area.

Please see letter of intent.

- 4) What effect, if any, would the variance have on the orderly subdivision of other land in the area in accordance with the City of Bulverde Code of Ordinances?

Please see letter of intent.

***Note for the Board / Commission:**

The following responses were provided by the applicant and may not be consistent with the Department staff report.

February 6, 2020

City of Bulverde
30360 Cougar Bend
Bulverde, TX 78163

RE: Owner Authorization for QuikTrip Corporation (the "Applicant") to file Application for Variance

Property: Approximately 9.7236 acres of land located at the southwest corner of Highway 46 and Stahl Lane, in the City of Bulverde, Comal County, Texas.

Legal Description: A-384 SUR-323 T Miller

On behalf of THE AARON MANDEL FAMILY TRUST-B FBO RENE LYNN WENDER, THE AARON MANDEL FAMILY TRUST-B FBO MARCIA JEAN MANDEL, THE AARON MANDEL FAMILY TRUST-B FBO WHITNEY AUSTIN ALLEN SCOTT, THE ROSE ELIZABETH MANDEL FAMILY TRUST-A FBO RENE LYNN WENDER, THE ROSE ELIZABETH MANDEL FAMILY TRUST-A FBO MARCIA JEAN MANDEL, THE ROSE ELIZABETH MANDEL FAMILY TRUST-A FBO WHITNEY AUSTIN ALLEN SCOTT, JAMES RITCHIE McCULLOCH, III, and MICHAEL VELASCO (each a "Tenant in Common" and collectively, the "Tenants in Common") (the Tenants in Common are collectively, the "Owner"), QuikTrip Corporation is hereby granted authorization to submit, at their sole cost and expense, an Application for Variance pertaining to Riparian Buffers [Section 4.07/4.08] and Tree Protection [Section 17.06.010] related to the above-referenced property.

OWNER:

TENANTS IN COMMON

By: _____


Charles Martin Wender, Manager

c/o Wender Real Estate, Inc.
11503 NW Military Hwy
San Antonio, TX 78231
Phone: 210-342-2255
Fax: 210-342-2829
Email: marty@wenderrei.com

Cc: QuikTrip Corporation



Variance Request Letter

Statement of Purpose

Purpose: The purpose of this submittal is to allow for the development of a 9.74-acre tract of land for the purpose of constructing a 4,993 SF convenience store with retail motor fuel sales. The provisions of the C-2 Zoning District and all other applicable regulations as stated in the City of Bulverde's Zoning Ordinance shall govern this tract of land.

Proposed Use: QuikTrip is proposing to construct and operate a 4,993 SF **100% masonry** 24-hour Convenience Store with Beer and Wine Sales for off-premise consumption only and retail motor fuel sales. The proposed project is consistent with the City's Master Plan. Per the attached Site Plan, it is our intent to have the POS registers in the Taxing jurisdiction of the City of Bulverde.

Our development will provide a family oriented, clean and modern facility for the citizens of Bulverde. We provide many of the items you will find in your larger grocery stores, with very similar pricing. We are also making great strides in the food industry with our addition of our new kitchen. QuikTrip takes great pride in our employees and our stores. We build our facilities to last fifty years and we put in the time and care to ensure that they do. We have an in-house Facility Support team that maintains our stores daily. They are called on to maintain everything

from landscaping, coffee/cappuccino machines, coffee bar, tea bar, paving, and all other aesthetic and mechanical features of the store.

QuikTrip submits this Variance Application, which would allow QuikTrip and the City of Bulverde to customize the site requirements and site usage to accommodate and allow QuikTrip to locate our newest location to the 9.74 acres in the City of Bulverde. As part of the Request, QuikTrip respectfully requests the following variances:

- **17.04 CUT AND FILL REQUIREMENTS**
 - Request the site be exempt from the cut and fill requirements established by the Bulverde Code of Ordinances, per that attached Master Grading Plan. The site grading proposed will partly be an effort to tie into the future TXDOT proposed grade changes and improvements and to allow for the over detention of water to help ease downstream flooding.
- **17.06.010 Tree Protection Measures**
 - Request the site be exempt from the Tree Mitigation Ordinance due to the mass grading necessary to for the future TXDOT improvements and detention pond.
- **4.07 [4.08] Riparian Buffers**
 - Request the site be exempt from the Riparian Buffer requirements. The area is only considered riparian because currently there is a watercourse that drains greater than 25 acres is hereby established. When QuikTrip installed the new storm pipe and detention pond the area will no longer qualify as Riparian.

QuikTrip's held several meetings and obtained useful feedback from the residents which allowed us to create a Master Plan that compliments the neighborhood. The following

enhancements were added to the plan to help meet the requests from the residents of Comal Trace as well as those in the general vicinity:

- Stahl Lane road widening and turn lane(s).
- 8' Sound and Light Wall adjacent to residential homes.
- Oversized detention pond to help mitigate downstream flooding issues and to accept the storm runoff from the Hwy 46 box culvert that currently negatively impacts those along this drainage way. QT is providing 435,000 CUFT of water storage or **8.7x more than what is required** for the QT development.
- Non-Habitable Buffer. QT is proposing to provide close to 6 acres of green space which it currently zoned C-3 for the area residents.
- A bladder system will be used for underground storage tanks to add a 3rd layer of protection to the triple wall tanks for the downstream resident's protection as well as to protect the area ground water.

I will be pleased to meet with you and or your staff to discuss this matter as requested. Your consideration and support in these matters will be greatly appreciated. We stand ready to assist in your review.

Best regards,



 **QuikTrip. | Real Estate**

JD Dudley | Real Estate Project Manager II – ASA
742 NW Loop 410 Suite 102 | San Antonio, TX 78216
O: 210.332.4036 | C: 469.766.8331



February 4, 2020

City of Bulverde
Development Services Department
30360 Cougar Bend
Bulverde, TX 78163-4569

**Re: QuikTrip Store #4028
Storm Water Management Plan**

Our office has been contracted by QuikTrip Inc. to determine whether the above referenced project meets those requirements set forth in the City of Bulverde's Code of Ordinances (C.o.B.C.O.).

This developer intends to show within the design and construction of this site that the impact to the current stormwater infrastructure and conveyance due to the proposed development will not result in an increase to the 5-year, 25-year, and the 100-year peak stormwater runoff discharge rates. Current upstream (off-site) storm water conveyance is being generated by a 176-acre watershed that produces approximately 1,200 cu-ft/sec (CFS) (100-year storm frequency event) of storm water run-off. The property receives this run-off via one 6' x 5.5' box culvert under State Highway 46, crossing through a defined drainage low, and leaving the property through 6 – 42" diameter corrugated metal pipe culvert (positioned under Stahl Lane). The design of the site's drainage system will consider this off-site conveyance and provide a route that will allow for the design storm to pass through the site without adversely impacting existing drainage infrastructure. Allowances for mimicking the riparian buffer hydrology characteristics will be considered during the design of this drainage bypass (guidance per C.o.B.C.O. Section 4.07 [4.08] "Riparian Buffers")

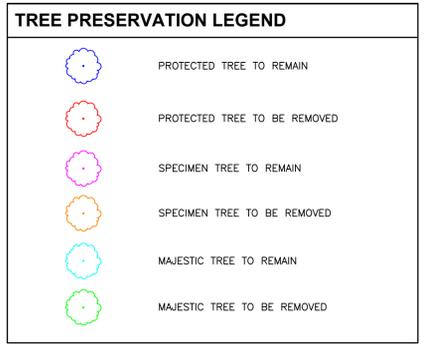
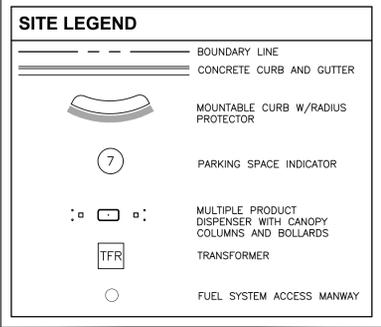
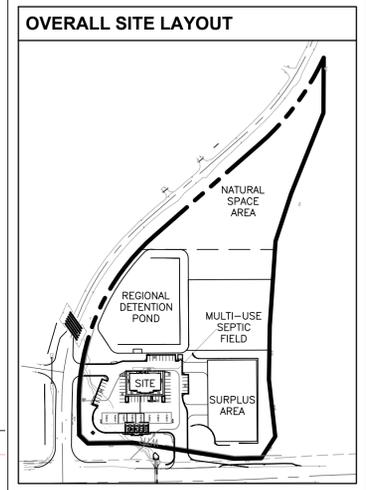
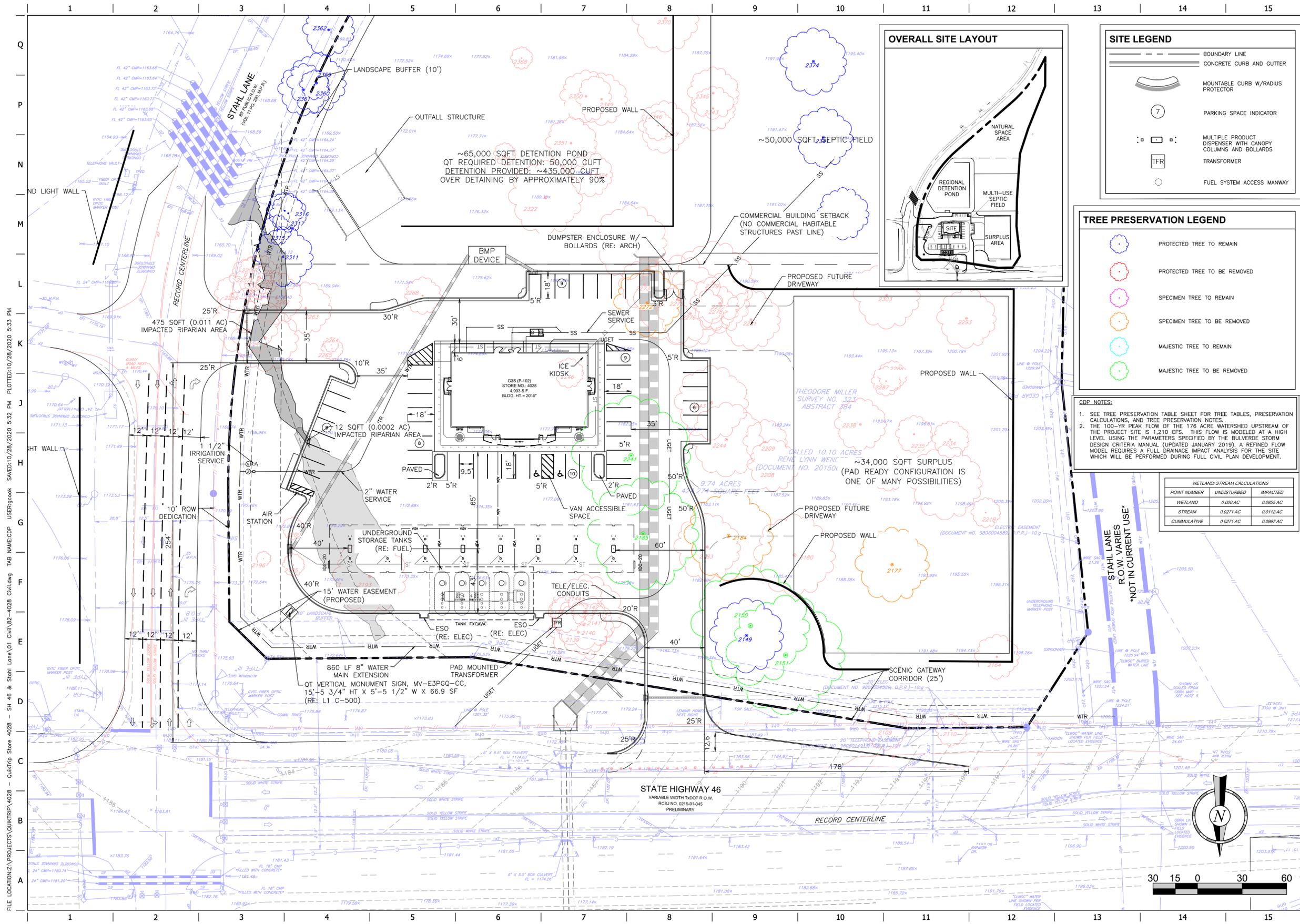
It is the intention of this developer to adhere to and use the Bulverde Code of Ordinances and Storm Drainage Design Criteria Manual to mitigate and convey the off-site and on-site storm water runoff so as to produce no adverse impact to onsite or downstream properties, habitable structures, or drainage infrastructure systems.

If you have any questions or require additional information, please feel free to contact me.

Sincerely,
Matkin Hoover Engineering & Surveying
TBPE Firm Registration No. F-4512



Joshua Valenta, P.E.
Vice President



CDP NOTES:
 1. SEE TREE PRESERVATION TABLE SHEET FOR TREE TABLES, PRESERVATION CALCULATIONS, AND TREE PRESERVATION NOTES.
 2. THE 100-YR PEAK FLOW OF THE 176 ACRE WATERSHED UPSTREAM OF THE PROJECT SITE IS 1,210 CFS. THIS FLOW IS MODELED AT A HIGH LEVEL USING THE PARAMETERS SPECIFIED BY THE BULVERDE STORM DESIGN CRITERIA MANUAL (UPDATED JANUARY 2019). A REFINED FLOW MODEL REQUIRES A FULL DRAINAGE IMPACT ANALYSIS FOR THE SITE WHICH WILL BE PERFORMED DURING FULL CIVIL PLAN DEVELOPMENT.

WETLAND/STREAM CALCULATIONS		
POINT NUMBER	UNDISTURBED	IMPACTED
WETLAND	0.000 AC	0.0855 AC
STREAM	0.0271 AC	0.0112 AC
CUMULATIVE	0.0271 AC	0.0967 AC

PROJECT NO. 4028.01
MATKIN-HOOVER
 ENGINEERING
 & SURVEYING
 8 SPENCER ROAD, SUITE 100
 BULVERDE, TEXAS 75814
 OFFICE: 409.249.0800
 CONTACT@MATKINHOOPER.COM
 TEXAS REGISTERED ENGINEERING FIRM F-10024000
 TEXAS REGISTERED SURVEYING FIRM F-10024000

QuikTrip No. 4028
 HWY. 46 & STAHL LANE
 BULVERDE, TEXAS



© COPYRIGHT QUIKTRIP CORPORATION 2011
 ANY UNAUTHORIZED USE, REPRODUCTION,
 PUBLICATION, DISTRIBUTION, OR SALE IN
 WHOLE OR IN PART, IS STRICTLY FORBIDDEN.
 PROTOTYPE: P-102 (05/01/20)
 DIVISION:
 VERSION: 001
 DESIGNED BY: JJV
 DRAWN BY: GSC
 REVIEWED BY: JJV

REV	DATE	DESCRIPTION

SHEET TITLE:
 CONCEPTUAL
 DEVELOPMENT PLAN

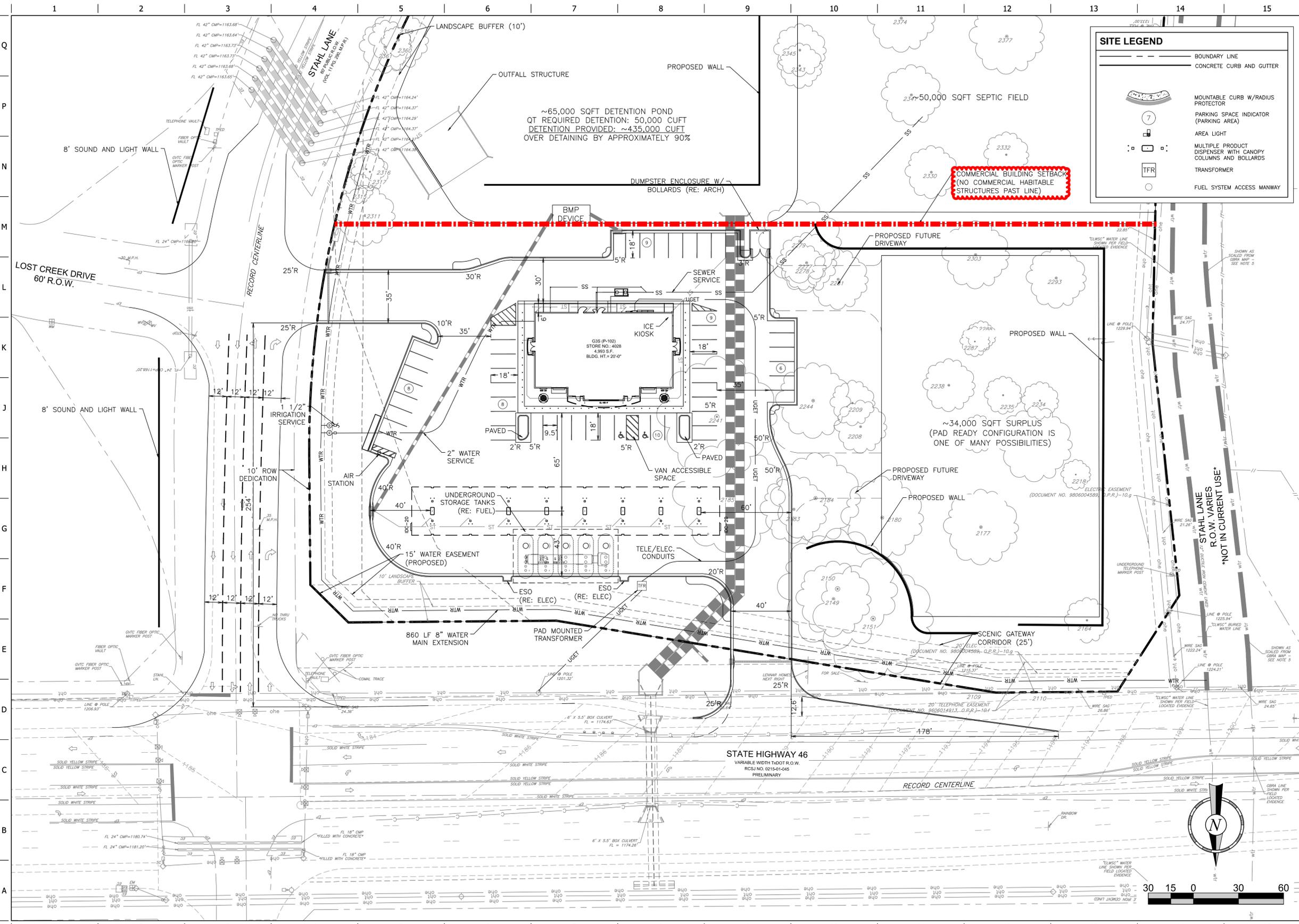
SHEET NUMBER:
C100

ORIGINAL ISSUE DATE:



FILE LOCATION: Z:\PROJECTS\QUIKTRIP\4028 - QuikTrip Store 4028 - SH 46 & Stahl Lane\01 CIV\02-4028 Civi.dwg USER: gscok SAVED: 10/28/2020 5:33 PM PLOTTED: 10/28/2020 5:33 PM

FILE LOCATION: Z:\PROJECTS\QUIKTRIP\4028 - QuikTrip Store 4028 - SH 46 & Stahl Lane\01 CIV\02-4028 Civi.dwg USER: gcook SAVES: 6/17/2020 1:39 PM PLOT: 6/17/2020 1:39 PM



SITE LEGEND

- BOUNDARY LINE
- CONCRETE CURB AND GUTTER
- MOUNTABLE CURB W/RADIUS PROTECTOR
- PARKING SPACE INDICATOR (PARKING AREA)
- AREA LIGHT
- MULTIPLE PRODUCT DISPENSER WITH CANOPY COLUMNS AND BOLLARDS
- TRANSFORMER
- FUEL SYSTEM ACCESS MANWAY

MATKIN-HOOVER
ENGINEERING
& SURVEYING

PROJECT NO.: 4028.01

8 SPENCER ROAD, SUITE 100
DALLAS, TEXAS 75241
OFFICE: 972.249.0500
CONTACT: MATKIN@MATKIN-HOOVER.COM
TEXAS REGISTERED ENGINEERING FIRM F-10024000
TEXAS REGISTERED SURVEYING FIRM F-10024000

QuikTrip No. 4028
HWY. 46 & STAHL LANE
BULVERDE, TEXAS

QT

© COPYRIGHT QUIKTRIP CORPORATION 2011
ANY UNAUTHORIZED USE, REPRODUCTION,
PUBLICATION, DISTRIBUTION, OR SALE IN
WHOLE OR IN PART, IS STRICTLY FORBIDDEN.

PROTOTYPE: P-102 (05/01/20)
DIVISION:
VERSION: 001
DESIGNED BY: JJV
DRAWN BY: GSC
REVIEWED BY: JJV

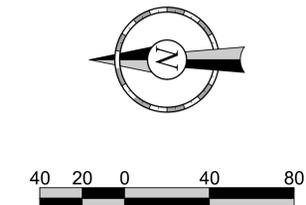
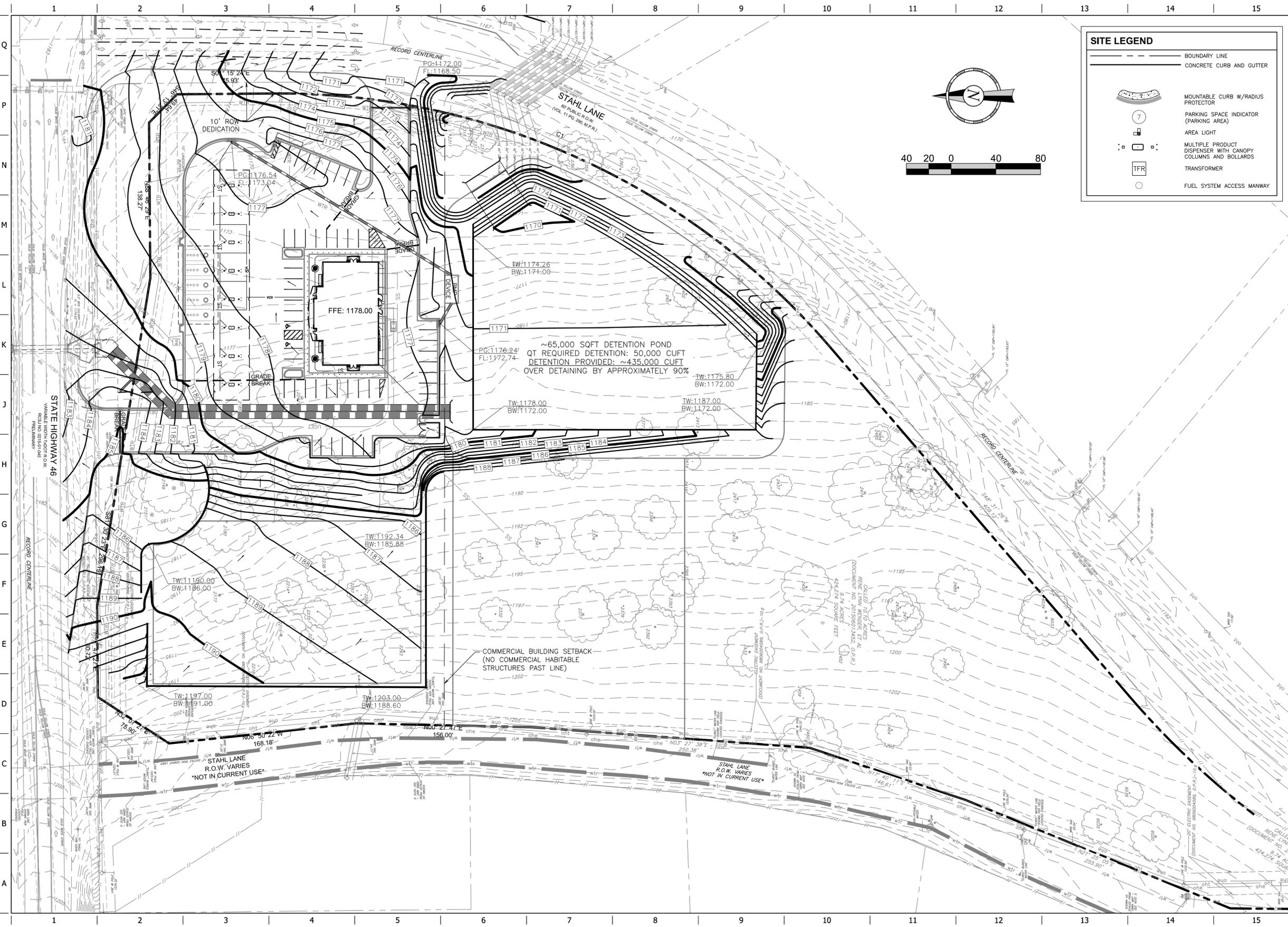
REV	DATE	DESCRIPTION

SHEET TITLE:
PRELIMINARY SITE PLAN
(30 SCALE)

SHEET NUMBER:
3

ORIGINAL ISSUE DATE:

FILE LOCATION: Z:\PROJECTS\QUIKTRIP\4028 - QuikTrip Store 4028 - SH 46 & Stahl Lane\01 CIV\02-4028 Civil.dwg USER: gcook SAVE: 06/17/2020 1:39 PM PLOTTED: 06/17/2020 1:41 PM



SITE LEGEND	
	BOUNDARY LINE
	CONCRETE CURB AND GUTTER
	MOUNTABLE CURB W/RADIUS PROTECTOR
	PARKING SPACE INDICATOR (PARKING AREA)
	AREA LIGHT
	MULTIPLE PRODUCT DISPENSER WITH CANOPY COLUMNS AND BOLLARDS
	TRANSFORMER
	FUEL SYSTEM ACCESS MANWAY

PROJECT NO.: 4028.01
MATKIN-HOOVER
 ENGINEERING & SURVEYING
 8 SPENCER ROAD, SUITE 100
 BULVERDE, TEXAS 75008
 OFFICE: 817.249.0500
 CONTACT@MATKIN-HOOVER.COM
 TEXAS REGISTERED ENGINEERING FIRM F-10024000
 F-0004512 SURVEYING FIRM F-10024000

QuikTrip No. 4028
 HWY. 46 & STAHL LANE
 BULVERDE, TEXAS



© COPYRIGHT QUIKTRIP CORPORATION 2011
 ANY UNAUTHORIZED USE, REPRODUCTION,
 PUBLICATION, DISTRIBUTION, OR SALE IN
 WHOLE OR IN PART, IS STRICTLY FORBIDDEN.

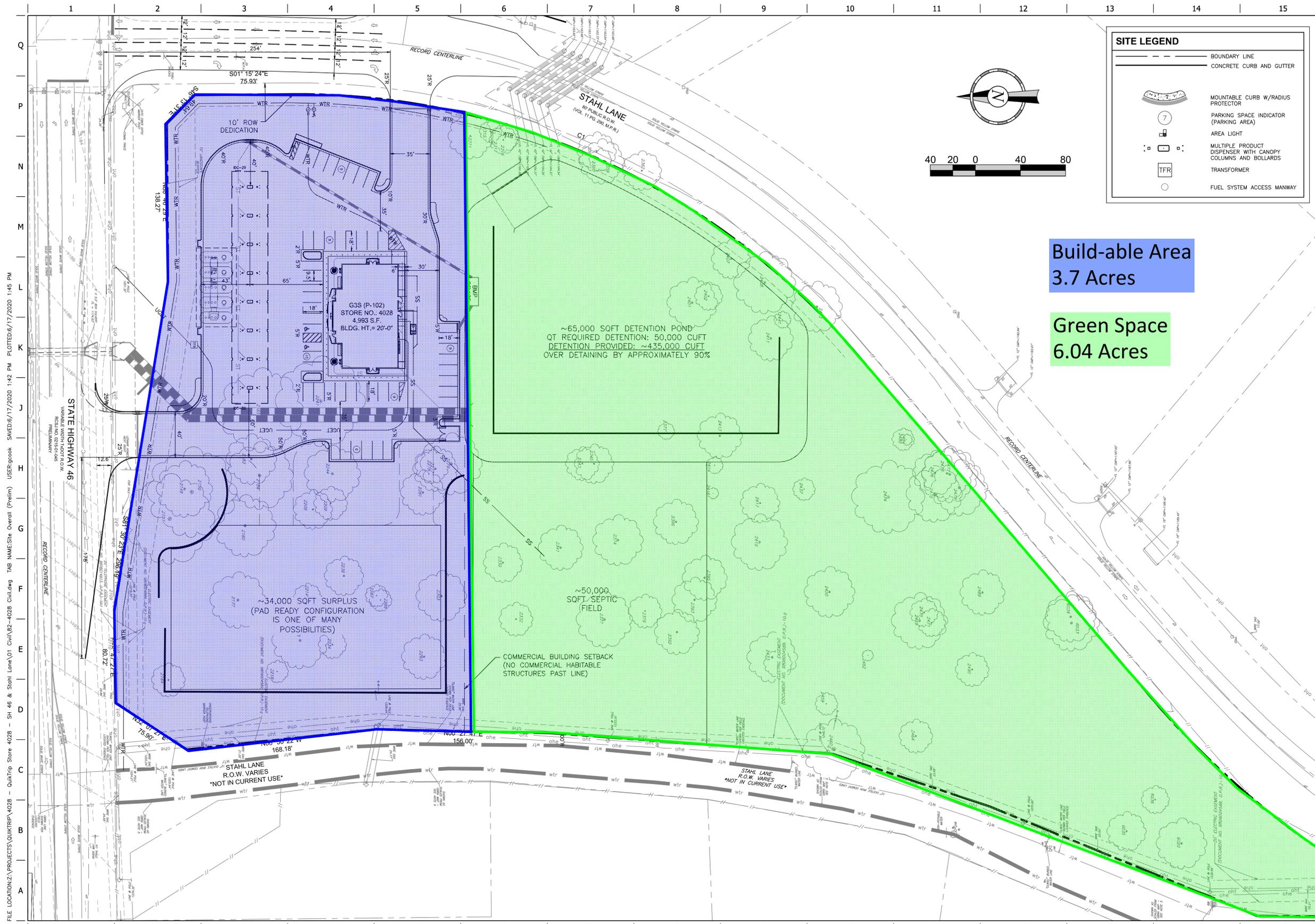
PROTOTYPE: P-102 (05/01/20)
 DIVISION:
 VERSION: 001
 DESIGNED BY: JJV
 DRAWN BY: GSC
 REVIEWED BY: JJV

REV	DATE	DESCRIPTION

SHEET TITLE:
OVERALL PRELIMINARY GRADING PLAN

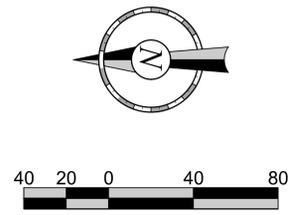
SHEET NUMBER:
3

ORIGINAL ISSUE DATE:



SITE LEGEND

- BOUNDARY LINE
- CONCRETE CURB AND GUTTER
- MOUNTABLE CURB W/RADIUS PROTECTOR
- PARKING SPACE INDICATOR (PARKING AREA)
- AREA LIGHT
- MULTIPLE PRODUCT DISPENSER WITH CANOPY COLUMNS AND BOLLARDS
- TRANSFORMER
- FUEL SYSTEM ACCESS MANWAY



**Build-able Area
3.7 Acres**

**Green Space
6.04 Acres**

~65,000 SQFT DETENTION POND
 QT REQUIRED DETENTION: 50,000 CUFT
 DETENTION PROVIDED: ~435,000 CUFT
 OVER DETAINING BY APPROXIMATELY 90%

~34,000 SQFT SURPLUS
 (PAD READY CONFIGURATION
 IS ONE OF MANY
 POSSIBILITIES)

~50,000
 SQFT SEPTIC
 FIELD

COMMERCIAL BUILDING SETBACK
 (NO COMMERCIAL HABITABLE
 STRUCTURES PAST LINE)

FILE LOCATION: Z:\PROJECTS\QUIKTRIP\4028 - QuikTrip Store 4028 - SH 46 & Stahl Lane\01 Civil\02-4028 Civil.dwg TAB NAME: Site Overall (Prelim) USER: gcook SAVED: 6/17/2020 1:42 PM PLOTTED: 6/17/2020 1:45 PM

MATKIN-HOOVER
 ENGINEERING
 & SURVEYING

PROJECT NO.: 4028.01

8 SPENCER ROAD, SUITE 100
 OFFICE: 830.249.0500
 CONTACT@MATKIN-HOOVER.COM
 TEXAS REGISTERED ENGINEERING FIRM F-10224000
 F-004512 SURVEYING FIRM F-10224000

QuikTrip No. 4028
 HWY. 46 & STAHL LANE
 BULVERDE, TEXAS

QT

© COPYRIGHT QUIKTRIP CORPORATION 2011
 ANY UNAUTHORIZED USE, REPRODUCTION,
 PUBLICATION, DISTRIBUTION, OR SALE IN
 WHOLE OR IN PART, IS STRICTLY FORBIDDEN.

PROTOTYPE: P-102 (05/01/20)
 DIVISION:
 VERSION: 001
 DESIGNED BY: JJV
 DRAWN BY: GSC
 REVIEWED BY: JJV

REV	DATE	DESCRIPTION

SHEET TITLE:

SHEET NUMBER:

ORIGINAL ISSUE DATE:



PLANNING & ZONING COMMISSION ITEM
VR-20-06
VARIANCE
QuikTrip

MEETING DATE: December 10, 2020
DEPARTMENT: Planning & Development
PRESENTED BY: Susana Ramos, AICP, Director

REQUEST:

Consider a request by QuikTrip Corporation for a variance to Chapter 17, Section 17.06.009, related to Tree Removal and Mitigation, of the City of Bulverde Code of Ordinances, at the southwest corner of State Highway 46 and Stahl Lane.

OWNER:

Mandel Aaron Family Trust
11503 NW Military Highway
San Antonio, TX

APPLICANT:

QuikTrip Corporation
742 NW Loop 410, Suite 102
San Antonio, TX 78216

PROPERTY INFORMATION:

Address: Southwest corner of State Highway 46 and Stahl Lane
Legal Description: A-384 SUR-323 T MILLER, ACRES 9.7236
Owner: Mandel Aaron Family Trust
Existing Land Use: Undeveloped
Existing Zoning: C-2

PLANNING & ZONING COMMISSION ACTION:

At its November 12, 2020 regular meeting, the Planning & Zoning Commission voted (6-1) to table this item.

SUMMARY:

The applicant intends to develop a 9.74-acre tract of land into a 4,993 square foot convenience store with retail motor fuel sales at the southwest corner of State Highway 46 and Stahl Lane, within the City Limits of the City of Bulverde.

The property is currently zoned C-2. However, an annexation agreement for the subject property vested all but the first 240 feet of the property to C-3 zoning. City staff is aware that the applicant intends to apply for a Planned Development District zone change to allow the proposed use to be permitted on the entire 9.74-acre tract of land.

The City of Bulverde has advised the applicant of the requirements that must be adhered to during the development and construction process, including Chapter 10 (Subdivision Ordinance) and Chapter 17 (Environmental Protection Ordinance).

However, the applicant has decided to move forward with the following variance request:

Tree Removal and Mitigation. The applicant requests that the subject property be exempt from the tree removal and mitigation requirements in Chapter 17, Section 17.06.009 of the Bulverde Code of Ordinances. **No trees are proposed to be replaced or replanted to mitigate the removal of seventy (70) protected trees, three (3) specimen trees, and two (2) majestic trees.**

The applicant has submitted statements of purpose for each variance request, which are attached to this staff report and provide more detail of their requests. The applicant shall present their case to the Planning & Zoning Commission for consideration during the meeting.

THE GRANTING OF THIS REQUESTED VARIANCE DOES NOT CONSTITUTE APPROVAL OF ANY OTHER VARIANCES WHICH MAY BE DEPICTED IN THE EXHIBITS ATTACHED TO THIS APPLICATION AND REPORT. ANY AND ALL OTHER VARIANCES FROM THE CODE OF ORDINANCES THAT DO NOT INCLUDE THIS REQUESTED VARIANCE WILL BE REQUESTED IN A SEPARATE APPLICATION AND APPROVAL PROCESS.

ANALYSIS:

Under Section 17.06.009(b) of the Bulverde Code of Ordinances, *no majestic tree shall be removed unless the exceptions apply as described in section 17.06.005... A 3:1 mitigation amount is required for any majestic tree removed.* **Two majestic trees—a 45-inch Live Oak and 38-inch Live Oak—are proposed to be removed. However, no mitigation has been proposed for the removal of majestic trees.**

Under Section 17.06.009(c) of the Bulverde Code of Ordinances, *total tree removal from the site cannot exceed 60% of the total caliper width of protected, specimen, majestic, or historic trees on site.* **The proposed removal of three specimen trees—a 31-inch Live Oak, 27-inch Live Oak, and 25-inch Live Oak—account for 73% of the total caliper width of specimen trees on the subject property.**

Under Section 17.06.009(d) of the Bulverde Code of Ordinances, *any person removing protected, specimen, or majestic trees shall mitigate such removal by planting, replanting, relocating or leaving in place replacement tree(s) having a total caliper width equal to the total caliper width removed, plus any additional mitigation amount as stipulated in subsection (b).* **According to the attached tree plan, seventy-five (75) trees are proposed to be removed and**

fifty-seven (57) trees would be preserved. No trees, however, are proposed to be replanted or relocated to mitigate the removal of seventy (70) protected trees, three (3) specimen, and two (2) majestic trees.

AUTHORITY OF THE PLANNING & ZONING COMMISSION:

Section 1.07 of the City of Bulverde Code of Ordinances states:

a) General.

(i) Variances to the requirements of this ordinance may be granted by the City Council for nonprocedural items provided the City Council determines that undue hardship will result from strict compliance with the ordinance. A variance may be granted only when in harmony with the general purpose and intent of this ordinance so that the public health, safety and welfare may be secured and substantial justice done. In granting a variance, the City Council shall prescribe only conditions that it deems necessary to or desirable in the public interest.

(ii) In making the findings required herein, the City Council shall take into account the nature of the proposed land use, existing uses of land in the vicinity, the number of persons who will reside or work in the proposed subdivision, and the probable effect of such variance upon traffic conditions and upon the public health, safety, convenience and welfare in the vicinity. No variance shall be granted unless the City Council makes affirmative findings as to all of the following:

- 1) That there are special circumstances or conditions affecting the land involved such that strict application of the provisions of this ordinance would deprive the applicant of the reasonable use of the land;*
- 2) That the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant;*
- 3) That granting the variance will not be detrimental to the public health, safety or welfare, or injurious to other property in the area; and*
- 4) That granting of the variance will not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of this ordinance.*

ATTACHMENTS:

Application
Statements of Purpose
Site Plan Exhibit
Tree Plan Exhibit



Application for Variance

30360 Cougar Bend, Bulverde, TX 78163
Telephone: 830-438-3612 - Fax: 830-438-4339
www.ci.bulverde.tx.us

Date: 10/8/20

Case No. _____

Applicant Information:

QuikTrip Corporation 469.766.8331 N/A
Name Phone Fax
742 NW Loop 410 Suite 102 San Antonio, TX 78216 jdudley@quiktrip.com
Address Email

Property Owner Information:

Mandel Aaron Family Trust 210.342.2255 N/A
Name Phone Fax
11503 NW Military Hwy marty@wenderrei.com
Address Email

** If property owner is not the applicant, a letter of authorization from the owner is required with application submittal.*

Property Identification:

Street Address: SWC of Hwy 46 & Stahl Rd.
Legal Description: Theodore Miller Survey No. 323, Abstract 384, Comal County, Texas
Zoning District Classification: C-3

Description of Request:

- Variance to Section 4.07 [4.08] Riparian Buffers of the City of Bulverde Code of Ordinances, which requires:
A riparian buffer of 60 feet on either side of the centerline of any watercourse within the city limits and the ETJ that drains greater than 25 acres is hereby established.
- Variance to Section 17.06.010 Tree protection measures of the City of Bulverde Code of Ordinances, which requires:
The planning and zoning commission shall review each permit application for majestic tree removal and make a recommendation to city council. City council shall then approve or disapprove the permit. A 3:1 mitigation amount is required for any majestic tree removed.
- Variance to Section 17.04 CUT AND FILL REQUIREMENTS of the City of Bulverde Code of Ordinances, which requires:
Cuts or other excavation associated with the preparation of land for development of lots and public improvements may not exceed four (4) feet in depth
- Variance to Section _____ of the City of Bulverde Code of Ordinances, which requires:

- Variance to Section _____ of the City of Bulverde Code of Ordinances, which requires:

The undersigned agrees to pay the **non refundable** application fee and any other applicable fees as outlined in the Planning and Development Fee Schedule and agrees to pay fees for any additional review requiring consultation with City Consultants, including involvement of a contract engineer in a predevelopment conference. To the extent possible, City Staff will provide the Owner/Applicant with an estimate of fees should outside consultation be required. The undersigned also acknowledges the City Staff may require additional appropriate information be submitted to aid in the review.

J. Dudley 10/8/20
Signature of Owner/Applicant Date

Fees:

- Zoning and Plat Variance Review Fee - \$750.00** (per Section/Provision of the Code)
- Variance Review Fee (all other Variances)- \$500.00** (per Section/Provision of the Code)

VARIANCE CRITERIA EXPLANATION FORM

(for Subdivision Code Variances Only)

(This Form is required with submittal of a Variance Application. If more than one variance is requested in an application, a separate Variance Criteria Explanation Form shall be required for each Variance. Please include additional pages as necessary.)

- 1) Describe the special circumstances or conditions affecting the land involved such that strict application of the provisions of this ordinance would deprive the reasonable use of the land.

Please see letter of intent.

- 2) Describe how the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant.

Please see letter of intent.

- 3) Describe how granting the variance will not be detrimental to the public health, safety or welfare, or injurious to other property in the area.

Please see letter of intent.

- 4) What effect, if any, would the variance have on the orderly subdivision of other land in the area in accordance with the City of Bulverde Code of Ordinances?

Please see letter of intent.

***Note for the Board / Commission:**

The following responses were provided by the applicant and may not be consistent with the Department staff report.

February 6, 2020

City of Bulverde
30360 Cougar Bend
Bulverde, TX 78163

RE: Owner Authorization for QuikTrip Corporation (the "Applicant") to file Application for Variance

Property: Approximately 9.7236 acres of land located at the southwest corner of Highway 46 and Stahl Lane, in the City of Bulverde, Comal County, Texas.

Legal Description: A-384 SUR-323 T Miller

On behalf of THE AARON MANDEL FAMILY TRUST-B FBO RENE LYNN WENDER, THE AARON MANDEL FAMILY TRUST-B FBO MARCIA JEAN MANDEL, THE AARON MANDEL FAMILY TRUST-B FBO WHITNEY AUSTIN ALLEN SCOTT, THE ROSE ELIZABETH MANDEL FAMILY TRUST-A FBO RENE LYNN WENDER, THE ROSE ELIZABETH MANDEL FAMILY TRUST-A FBO MARCIA JEAN MANDEL, THE ROSE ELIZABETH MANDEL FAMILY TRUST-A FBO WHITNEY AUSTIN ALLEN SCOTT, JAMES RITCHIE McCULLOCH, III, and MICHAEL VELASCO (each a "Tenant in Common" and collectively, the "Tenants in Common") (the Tenants in Common are collectively, the "Owner"), QuikTrip Corporation is hereby granted authorization to submit, at their sole cost and expense, an Application for Variance pertaining to Riparian Buffers [Section 4.07/4.08] and Tree Protection [Section 17.06.010] related to the above-referenced property.

OWNER:

TENANTS IN COMMON

By: _____


Charles Martin Wender, Manager

c/o Wender Real Estate, Inc.
11503 NW Military Hwy
San Antonio, TX 78231
Phone: 210-342-2255
Fax: 210-342-2829
Email: marty@wenderrei.com

Cc: QuikTrip Corporation



Variance Request Letter

Statement of Purpose

Purpose: The purpose of this submittal is to allow for the development of a 9.74-acre tract of land for the purpose of constructing a 4,993 SF convenience store with retail motor fuel sales. The provisions of the C-2 Zoning District and all other applicable regulations as stated in the City of Bulverde's Zoning Ordinance shall govern this tract of land.

Proposed Use: QuikTrip is proposing to construct and operate a 4,993 SF **100% masonry** 24-hour Convenience Store with Beer and Wine Sales for off-premise consumption only and retail motor fuel sales. The proposed project is consistent with the City's Master Plan. Per the attached Site Plan, it is our intent to have the POS registers in the Taxing jurisdiction of the City of Bulverde.

Our development will provide a family oriented, clean and modern facility for the citizens of Bulverde. We provide many of the items you will find in your larger grocery stores, with very similar pricing. We are also making great strides in the food industry with our addition of our new kitchen. QuikTrip takes great pride in our employees and our stores. We build our facilities to last fifty years and we put in the time and care to ensure that they do. We have an in-house Facility Support team that maintains our stores daily. They are called on to maintain everything

from landscaping, coffee/cappuccino machines, coffee bar, tea bar, paving, and all other aesthetic and mechanical features of the store.

QuikTrip submits this Variance Application, which would allow QuikTrip and the City of Bulverde to customize the site requirements and site usage to accommodate and allow QuikTrip to locate our newest location to the 9.74 acres in the City of Bulverde. As part of the Request, QuikTrip respectfully requests the following variances:

- **17.04 CUT AND FILL REQUIREMENTS**
 - Request the site be exempt from the cut and fill requirements established by the Bulverde Code of Ordinances, per that attached Master Grading Plan. The site grading proposed will partly be an effort to tie into the future TXDOT proposed grade changes and improvements and to allow for the over detention of water to help ease downstream flooding.
- **17.06.010 Tree Protection Measures**
 - Request the site be exempt from the Tree Mitigation Ordinance due to the mass grading necessary to for the future TXDOT improvements and detention pond.
- **4.07 [4.08] Riparian Buffers**
 - Request the site be exempt from the Riparian Buffer requirements. The area is only considered riparian because currently there is a watercourse that drains greater than 25 acres is hereby established. When QuikTrip installed the new storm pipe and detention pond the area will no longer qualify as Riparian.

QuikTrip's held several meetings and obtained useful feedback from the residents which allowed us to create a Master Plan that compliments the neighborhood. The following

enhancements were added to the plan to help meet the requests from the residents of Comal Trace as well as those in the general vicinity:

- Stahl Lane road widening and turn lane(s).
- 8' Sound and Light Wall adjacent to residential homes.
- Oversized detention pond to help mitigate downstream flooding issues and to accept the storm runoff from the Hwy 46 box culvert that currently negatively impacts those along this drainage way. QT is providing 435,000 CUFT of water storage or **8.7x more than what is required** for the QT development.
- Non-Habitable Buffer. QT is proposing to provide close to 6 acres of green space which it currently zoned C-3 for the area residents.
- A bladder system will be used for underground storage tanks to add a 3rd layer of protection to the triple wall tanks for the downstream resident's protection as well as to protect the area ground water.

I will be pleased to meet with you and or your staff to discuss this matter as requested. Your consideration and support in these matters will be greatly appreciated. We stand ready to assist in your review.

Best regards,



 **QuikTrip. | Real Estate**

JD Dudley | Real Estate Project Manager II – ASA
742 NW Loop 410 Suite 102 | San Antonio, TX 78216
O: 210.332.4036 | C: 469.766.8331



February 4, 2020

City of Bulverde
Development Services Department
30360 Cougar Bend
Bulverde, TX 78163-4569

**Re: QuikTrip Store #4028
Storm Water Management Plan**

Our office has been contracted by QuikTrip Inc. to determine whether the above referenced project meets those requirements set forth in the City of Bulverde's Code of Ordinances (C.o.B.C.O.).

This developer intends to show within the design and construction of this site that the impact to the current stormwater infrastructure and conveyance due to the proposed development will not result in an increase to the 5-year, 25-year, and the 100-year peak stormwater runoff discharge rates. Current upstream (off-site) storm water conveyance is being generated by a 176-acre watershed that produces approximately 1,200 cu-ft/sec (CFS) (100-year storm frequency event) of storm water run-off. The property receives this run-off via one 6' x 5.5' box culvert under State Highway 46, crossing through a defined drainage low, and leaving the property through 6 – 42" diameter corrugated metal pipe culvert (positioned under Stahl Lane). The design of the site's drainage system will consider this off-site conveyance and provide a route that will allow for the design storm to pass through the site without adversely impacting existing drainage infrastructure. Allowances for mimicking the riparian buffer hydrology characteristics will be considered during the design of this drainage bypass (guidance per C.o.B.C.O. Section 4.07 [4.08] "Riparian Buffers")

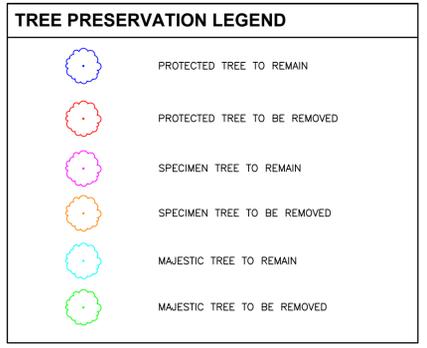
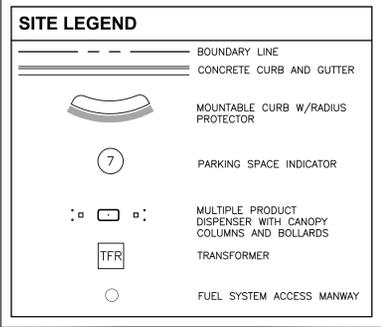
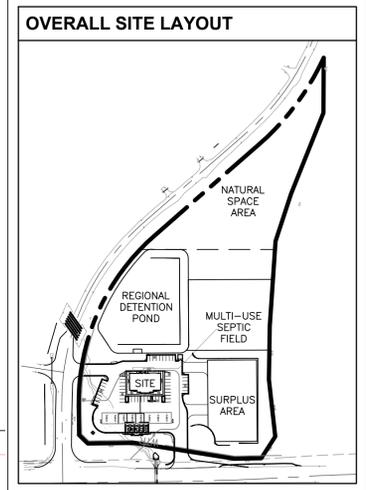
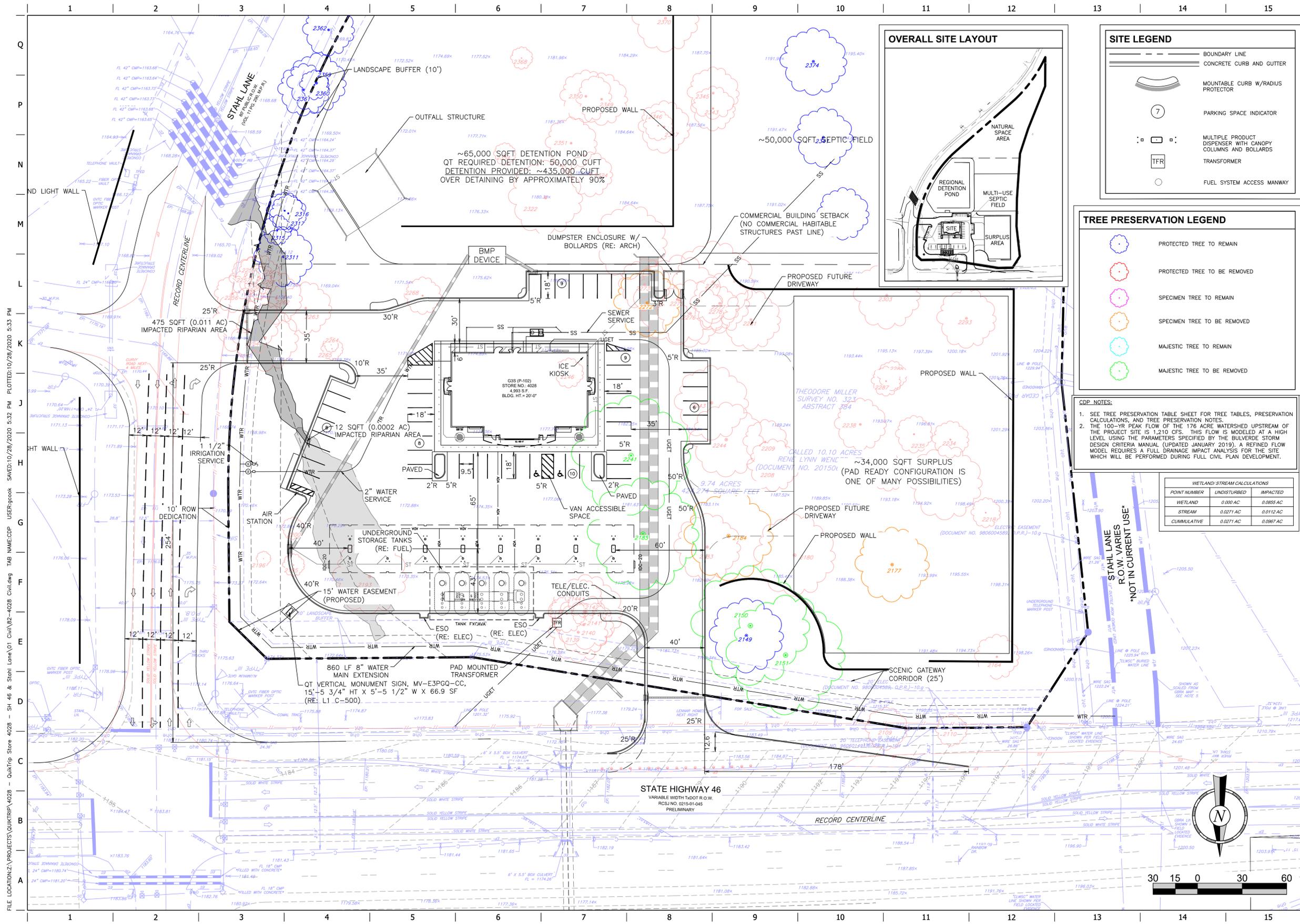
It is the intention of this developer to adhere to and use the Bulverde Code of Ordinances and Storm Drainage Design Criteria Manual to mitigate and convey the off-site and on-site storm water runoff so as to produce no adverse impact to onsite or downstream properties, habitable structures, or drainage infrastructure systems.

If you have any questions or require additional information, please feel free to contact me.

Sincerely,
Matkin Hoover Engineering & Surveying
TBPE Firm Registration No. F-4512



Joshua Valenta, P.E.
Vice President



CDP NOTES:

- SEE TREE PRESERVATION TABLE SHEET FOR TREE TABLES, PRESERVATION CALCULATIONS, AND TREE PRESERVATION NOTES.
- THE 100-YR PEAK FLOW OF THE 176 ACRE WATERSHED UPSTREAM OF THE PROJECT SITE IS 1,210 CFS. THIS FLOW IS MODELED AT A HIGH LEVEL USING THE PARAMETERS SPECIFIED BY THE BULVERDE STORM DESIGN CRITERIA MANUAL (UPDATED JANUARY 2019). A REFINED FLOW MODEL REQUIRES A FULL DRAINAGE IMPACT ANALYSIS FOR THE SITE WHICH WILL BE PERFORMED DURING FULL CIVIL PLAN DEVELOPMENT.

WETLAND/STREAM CALCULATIONS		
POINT NUMBER	UNDISTURBED	IMPACTED
WETLAND	0.000 AC	0.0855 AC
STREAM	0.0271 AC	0.0112 AC
CUMULATIVE	0.0271 AC	0.0967 AC

PROJECT NO. 4028.01

MATKIN-HOOVER
ENGINEERING
& SURVEYING

8 SPENCER ROAD, SUITE 100
BULVERDE, TEXAS 75814
OFFICE: 803.249.0800
CONTACT@MATKINHOVER.COM
TEXAS REGISTERED ENGINEERING FIRM F-10024000
TEXAS REGISTERED SURVEYING FIRM F-10024000

QuikTrip No. 4028

HWY. 46 & STAHL LANE
BULVERDE, TEXAS



© COPYRIGHT QUIKTRIP CORPORATION 2011
ANY UNAUTHORIZED USE, REPRODUCTION,
PUBLICATION, DISTRIBUTION, OR SALE IN
WHOLE OR IN PART, IS STRICTLY FORBIDDEN.

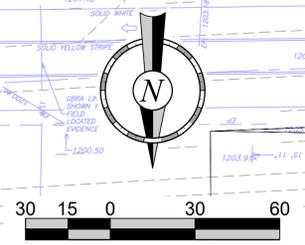
PROTOTYPE: P-102 (05/01/20)
DIVISION:
VERSION: 001
DESIGNED BY: JJV
DRAWN BY: GSC
REVIEWED BY: JJV

REV	DATE	DESCRIPTION

SHEET TITLE:
CONCEPTUAL
DEVELOPMENT PLAN

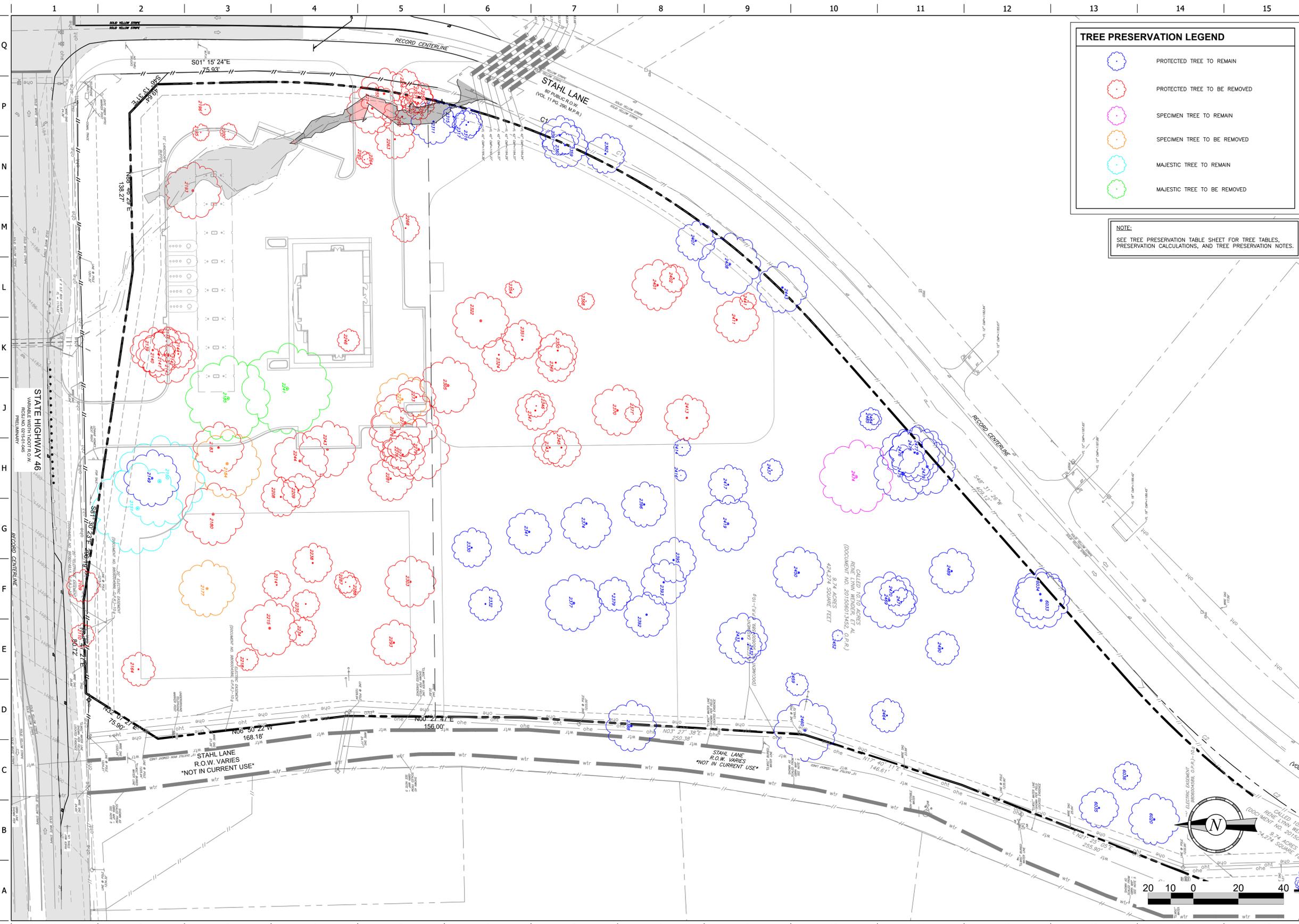
SHEET NUMBER:
C100

ORIGINAL ISSUE DATE:



FILE LOCATION: Z:\PROJECTS\QUIKTRIP\4028 - QuikTrip Store 4028 - SH 46 & Stahl Lane\01 CIV\02-4028 Civi.dwg USER: gbook SAVED: 10/28/2020 5:33 PM PLOTTED: 10/28/2020 5:33 PM

FILE LOCATION: Z:\PROJECTS\QUIKTRIP\4028 - QuikTrip Store 4028 - SH 46 & Stahl Lane\01 C:\N\02-4028 C:\dwg TAB NAME: Tree Preservation Plan USER: gbook SAVED: 10/28/2020 5:32 PM PLOTTED: 10/28/2020 5:34 PM



TREE PRESERVATION LEGEND

- PROTECTED TREE TO REMAIN
- PROTECTED TREE TO BE REMOVED
- SPECIMEN TREE TO REMAIN
- SPECIMEN TREE TO BE REMOVED
- MAJESTIC TREE TO REMAIN
- MAJESTIC TREE TO BE REMOVED

NOTE:
SEE TREE PRESERVATION TABLE SHEET FOR TREE TABLES,
PRESERVATION CALCULATIONS, AND TREE PRESERVATION NOTES.

MATKINHOOPER
ENGINEERING
& SURVEYING

8 SPENCER ROAD, SUITE 100
RICHMOND, TEXAS 75402
OFFICE: 832.249.0800
CONTACT@MATKINHOOPER.COM
TEXAS REGISTERED ENGINEERING FIRM
F-0004512 SURVEYING FIRM F-10024000

QuikTrip No. 4028
HWY. 46 & STAH LANE
BULVERDE, TEXAS

QT

© COPYRIGHT QUIKTRIP CORPORATION 2011
ANY UNAUTHORIZED USE, REPRODUCTION,
PUBLICATION, DISTRIBUTION, OR SALE IN
WHOLE OR IN PART, IS STRICTLY FORBIDDEN.

PROTOTYPE: P-102 (05/01/20)
DIVISION:
VERSION: 001
DESIGNED BY: JJV
DRAWN BY: GSC
REVIEWED BY: JJV

REV	DATE	DESCRIPTION

SHEET TITLE:
TREE PRESERVATION PLAN

SHEET NUMBER:
C031

ORIGINAL ISSUE DATE:



PLANNING & ZONING COMMISSION ITEM
VR-20-07
VARIANCE
QuikTrip

MEETING DATE: December 10, 2020
DEPARTMENT: Planning & Development
PRESENTED BY: Susana Ramos, AICP, Director

REQUEST:

Consider a request by QuikTrip Corporation for a variance to Section 17.04.003, related to Cuts, and Section 17.04.004, related to Fills, of the City of Bulverde Code of Ordinances, at the southwest corner of State Highway 46 and Stahl Lane.

OWNER:

Mandel Aaron Family Trust
11503 NW Military Highway
San Antonio, TX

APPLICANT:

QuikTrip Corporation
742 NW Loop 410, Suite 102
San Antonio, TX 78216

PROPERTY INFORMATION:

Address: Southwest corner of State Highway 46 and Stahl Lane
Legal Description: A-384 SUR-323 T MILLER, ACRES 9.7236
Owner: Mandel Aaron Family Trust
Existing Land Use: Undeveloped
Existing Zoning: C-2

PLANNING & ZONING COMMISSION ACTION:

At its November 12, 2020 regular meeting, the Planning & Zoning Commission voted (6-1) to table this item.

SUMMARY:

The applicant (QuikTrip Corporation) intends to develop a 9.74-acre tract of land into a 4,993 square foot convenience store with retail motor fuel sales at the southwest corner of State Highway 46 and Stahl Lane, within the City Limits of the City of Bulverde.

The property is currently zoned C-2. However, an annexation agreement for the subject property vested all but the first 240 feet of the property to C-3 zoning. City staff is aware that the applicant intends to apply for a Planned Development District zone change to allow the proposed use to be permitted on the entire 9.74-acre tract of land.

The City of Bulverde has advised the applicant of the requirements that must be adhered to during the development and construction process, including Chapter 10 (Subdivision Ordinance) and Chapter 17 (Environmental Protection Ordinance).

However, the applicant has decided to move forward with the following variance requests:

Cuts. The applicant requests that the subject property be exempt from the cut requirements in Chapter 17, Section 17.04.003 of the Bulverde Code of Ordinances. **The maximum depth of cut is approximately fifteen (15) feet.**

Fills. The applicant requests that the subject property be exempt from the fill requirements in Chapter 17, Section 17.04.004 of the Bulverde Code of Ordinances. **The maximum depth of fill is approximately eight (8) feet.**

The applicant has submitted statements of purpose for each variance request, which are attached to this staff report and provide more detail of their requests. The applicant shall present their case to the Planning & Zoning Commission for consideration during the meeting.

THE GRANTING OF THE TWO REQUESTED VARIANCES DOES NOT CONSTITUTE APPROVAL OF ANY OTHER VARIANCES WHICH MAY BE DEPICTED IN THE EXHIBITS ATTACHED TO THIS APPLICATION AND REPORT. ANY AND ALL OTHER VARIANCES FROM THE CODE OF ORDINANCES THAT DO NOT INCLUDE THE TWO REQUESTED VARIANCES WILL BE REQUESTED IN A SEPARATE APPLICATION AND APPROVAL PROCESS.

ANALYSIS:

Cuts. In order to develop the subject property, as shown in the attached exhibits, the applicant would have to cut areas of the site that exceed 4 feet in depth. **The maximum depth of cut shown in the exhibits is approximately fifteen (15) feet.** Section 17.04.003 of the City of Bulverde Code of Ordinances defines “cut” as: *the removal of naturally occurring earth material for the purpose of creating a more level building area. Cuts or other excavation associated with the preparation of land for development of lots and public improvements may not exceed four (4) feet in depth.*

Fills. According to the attached exhibits, the applicant is also proposing to fill areas of the site that exceed 4 feet in depth. **The maximum depth of fill shown in the exhibits is approximately eight (8) feet.** Pursuant to Section 17.04.004 of the City of Bulverde Code of Ordinances, *fills associated with the preparation of land for development of lots and public improvements may not exceed four (4) feet in depth.*

Section 17.04.006, which pertains to relief from cut and fill requirements, provides a variance process in which *a request for cuts or fills greater than eight (8) feet may be approved by the City Council in accordance with Section 1.07 of Chapter 10, Exhibit A, of the City of Bulverde Code of Ordinances.*

AUTHORITY OF THE PLANNING & ZONING COMMISSION:

Section 1.07 of the City of Bulverde Code of Ordinances states:

a) General.

(i) *Variations to the requirements of this ordinance may be granted by the City Council for nonprocedural items provided the City Council determines that undue hardship will result from strict compliance with the ordinance. A variance may be granted only when in harmony with the general purpose and intent of this ordinance so that the public health, safety and welfare may be secured and substantial justice done. In granting a variance, the City Council shall prescribe only conditions that it deems necessary to or desirable in the public interest.*

(ii) *In making the findings required herein, the City Council shall take into account the nature of the proposed land use, existing uses of land in the vicinity, the number of persons who will reside or work in the proposed subdivision, and the probable effect of such variance upon traffic conditions and upon the public health, safety, convenience and welfare in the vicinity. No variance shall be granted unless the City Council makes affirmative findings as to all of the following:*

- 1) *That there are special circumstances or conditions affecting the land involved such that strict application of the provisions of this ordinance would deprive the applicant of the reasonable use of the land;*
- 2) *That the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant;*
- 3) *That granting the variance will not be detrimental to the public health, safety or welfare, or injurious to other property in the area; and*
- 4) *That granting of the variance will not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of this ordinance.*

ATTACHMENTS:

Application
Statements of Purpose
Cut & Fill Exhibits



Application for Variance

30360 Cougar Bend, Bulverde, TX 78163
Telephone: 830-438-3612 - Fax: 830-438-4339
www.ci.bulverde.tx.us

Date: 10/8/20

Case No. _____

Applicant Information:

QuikTrip Corporation 469.766.8331 N/A
Name Phone Fax
742 NW Loop 410 Suite 102 San Antonio, TX 78216 jdudley@quiktrip.com
Address Email

Property Owner Information:

Mandel Aaron Family Trust 210.342.2255 N/A
Name Phone Fax
11503 NW Military Hwy marty@wenderrei.com
Address Email

** If property owner is not the applicant, a letter of authorization from the owner is required with application submittal.*

Property Identification:

Street Address: SWC of Hwy 46 & Stahl Rd.
Legal Description: Theodore Miller Survey No. 323, Abstract 384, Comal County, Texas
Zoning District Classification: C-3

Description of Request:

- Variance to Section 4.07 [4.08] Riparian Buffers of the City of Bulverde Code of Ordinances, which requires:
A riparian buffer of 60 feet on either side of the centerline of any watercourse within the city limits and the ETJ that drains greater than 25 acres is hereby established.
- Variance to Section 17.06.010 Tree protection measures of the City of Bulverde Code of Ordinances, which requires:
The planning and zoning commission shall review each permit application for majestic tree removal and make a recommendation to city council. City council shall then approve or disapprove the permit. A 3:1 mitigation amount is required for any majestic tree removed.
- Variance to Section 17.04 CUT AND FILL REQUIREMENTS of the City of Bulverde Code of Ordinances, which requires:
Cuts or other excavation associated with the preparation of land for development of lots and public improvements may not exceed four (4) feet in depth
- Variance to Section _____ of the City of Bulverde Code of Ordinances, which requires:

- Variance to Section _____ of the City of Bulverde Code of Ordinances, which requires:

The undersigned agrees to pay the **non refundable** application fee and any other applicable fees as outlined in the Planning and Development Fee Schedule and agrees to pay fees for any additional review requiring consultation with City Consultants, including involvement of a contract engineer in a predevelopment conference. To the extent possible, City Staff will provide the Owner/Applicant with an estimate of fees should outside consultation be required. The undersigned also acknowledges the City Staff may require additional appropriate information be submitted to aid in the review.

J. Dudley 10/8/20
Signature of Owner/Applicant Date

Fees:

- Zoning and Plat Variance Review Fee - \$750.00** (per Section/Provision of the Code)
- Variance Review Fee (all other Variances)- \$500.00** (per Section/Provision of the Code)

VARIANCE CRITERIA EXPLANATION FORM

(for Subdivision Code Variances Only)

(This Form is required with submittal of a Variance Application. If more than one variance is requested in an application, a separate Variance Criteria Explanation Form shall be required for each Variance. Please include additional pages as necessary.)

- 1) Describe the special circumstances or conditions affecting the land involved such that strict application of the provisions of this ordinance would deprive the reasonable use of the land.

Please see letter of intent.

- 2) Describe how the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant.

Please see letter of intent.

- 3) Describe how granting the variance will not be detrimental to the public health, safety or welfare, or injurious to other property in the area.

Please see letter of intent.

- 4) What effect, if any, would the variance have on the orderly subdivision of other land in the area in accordance with the City of Bulverde Code of Ordinances?

Please see letter of intent.

***Note for the Board / Commission:**

The following responses were provided by the applicant and may not be consistent with the Department staff report.



Variance Request Letter

Statement of Purpose

Purpose: The purpose of this submittal is to allow for the development of a 9.74-acre tract of land for the purpose of constructing a 4,993 SF convenience store with retail motor fuel sales. The provisions of the C-2 Zoning District and all other applicable regulations as stated in the City of Bulverde's Zoning Ordinance shall govern this tract of land.

Proposed Use: QuikTrip is proposing to construct and operate a 4,993 SF **100% masonry** 24-hour Convenience Store with Beer and Wine Sales for off-premise consumption only and retail motor fuel sales. The proposed project is consistent with the City's Master Plan. Per the attached Site Plan, it is our intent to have the POS registers in the Taxing jurisdiction of the City of Bulverde.

Our development will provide a family oriented, clean and modern facility for the citizens of Bulverde. We provide many of the items you will find in your larger grocery stores, with very similar pricing. We are also making great strides in the food industry with our addition of our new kitchen. QuikTrip takes great pride in our employees and our stores. We build our facilities to last fifty years and we put in the time and care to ensure that they do. We have an in-house Facility Support team that maintains our stores daily. They are called on to maintain everything

from landscaping, coffee/cappuccino machines, coffee bar, tea bar, paving, and all other aesthetic and mechanical features of the store.

QuikTrip submits this Variance Application, which would allow QuikTrip and the City of Bulverde to customize the site requirements and site usage to accommodate and allow QuikTrip to locate our newest location to the 9.74 acres in the City of Bulverde. As part of the Request, QuikTrip respectfully requests the following variances:

- **17.04 CUT AND FILL REQUIREMENTS**
 - Request the site be exempt from the cut and fill requirements established by the Bulverde Code of Ordinances, per that attached Master Grading Plan. The site grading proposed will partly be an effort to tie into the future TXDOT proposed grade changes and improvements and to allow for the over detention of water to help ease downstream flooding.
- **17.06.010 Tree Protection Measures**
 - Request the site be exempt from the Tree Mitigation Ordinance due to the mass grading necessary to for the future TXDOT improvements and detention pond.
- **4.07 [4.08] Riparian Buffers**
 - Request the site be exempt from the Riparian Buffer requirements. The area is only considered riparian because currently there is a watercourse that drains greater than 25 acres is hereby established. When QuikTrip installed the new storm pipe and detention pond the area will no longer qualify as Riparian.

QuikTrip's held several meetings and obtained useful feedback from the residents which allowed us to create a Master Plan that compliments the neighborhood. The following

enhancements were added to the plan to help meet the requests from the residents of Comal Trace as well as those in the general vicinity:

- Stahl Lane road widening and turn lane(s).
- 8' Sound and Light Wall adjacent to residential homes.
- Oversized detention pond to help mitigate downstream flooding issues and to accept the storm runoff from the Hwy 46 box culvert that currently negatively impacts those along this drainage way. QT is providing 435,000 CUFT of water storage or **8.7x more than what is required** for the QT development.
- Non-Habitable Buffer. QT is proposing to provide close to 6 acres of green space which it currently zoned C-3 for the area residents.
- A bladder system will be used for underground storage tanks to add a 3rd layer of protection to the triple wall tanks for the downstream resident's protection as well as to protect the area ground water.

I will be pleased to meet with you and or your staff to discuss this matter as requested. Your consideration and support in these matters will be greatly appreciated. We stand ready to assist in your review.

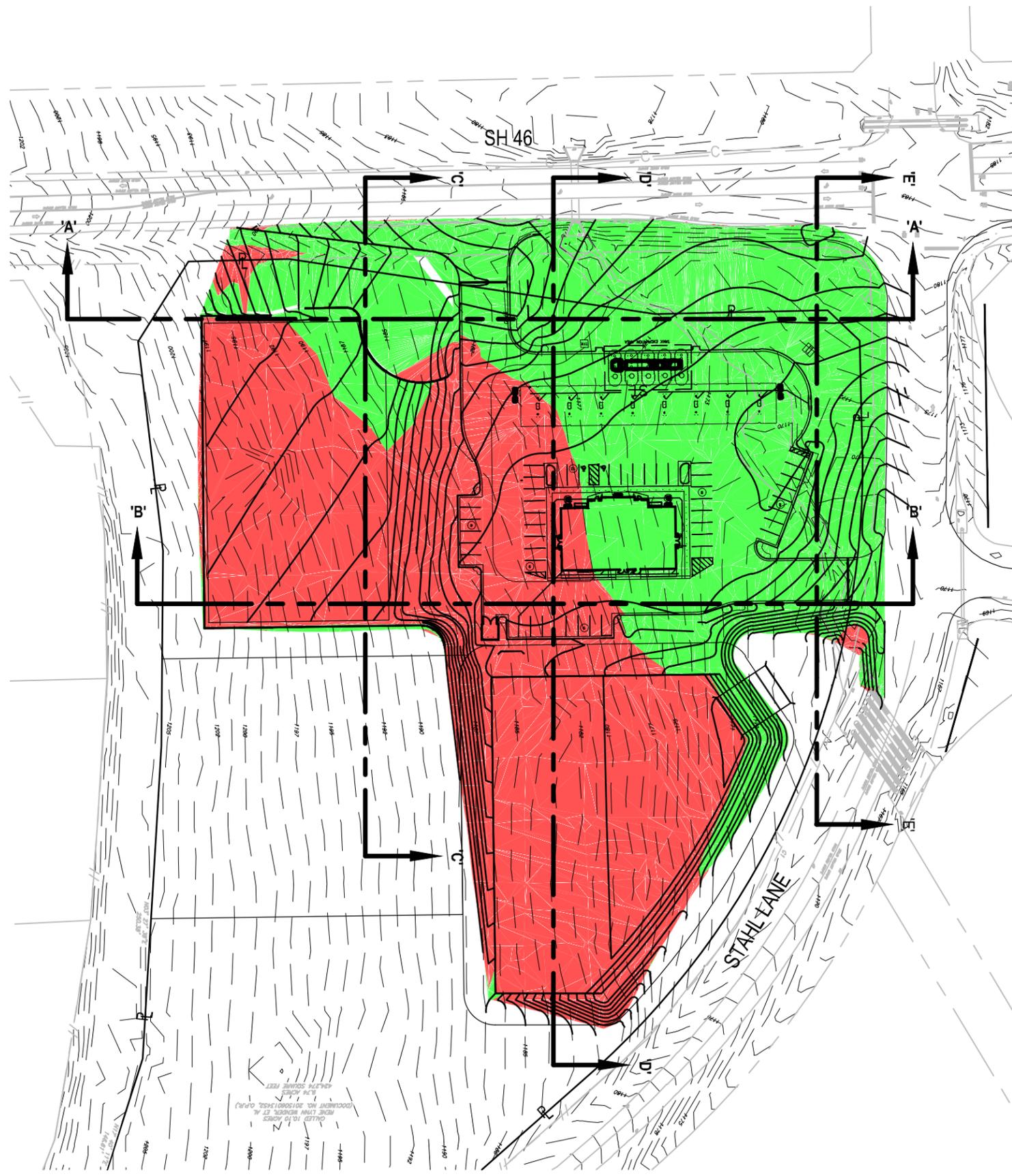
Best regards,



 **QuikTrip. | Real Estate**

JD Dudley | Real Estate Project Manager II – ASA
742 NW Loop 410 Suite 102 | San Antonio, TX 78216
O: 210.332.4036 | C: 469.766.8331

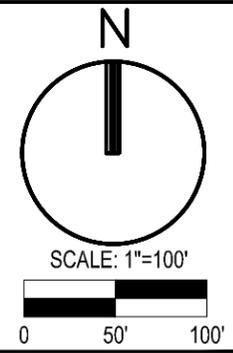




LEGEND

- CUT
- FILL

NOTE: EARTHWORK SHOWN IS A PICTORIAL REPRESENTATION OF THE SITES CUT & FILL AREAS. CUT IS SHOWN IN RED WITH FILL BEING SHOWN IN GREEN. THESE VOLUMES ARE TO THE FINAL GRADE ELEVATIONS AND DO NOT INDICATE THE VOLUME OF MATERIAL(S) BELOW THE FINAL GRADE DESIGN.



SHEET SIZE: 11" x 17"

REVISIONS:

NO.	DATE	DESCRIPTION

MATKINHOOPER
ENGINEERING & SURVEYING

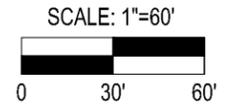
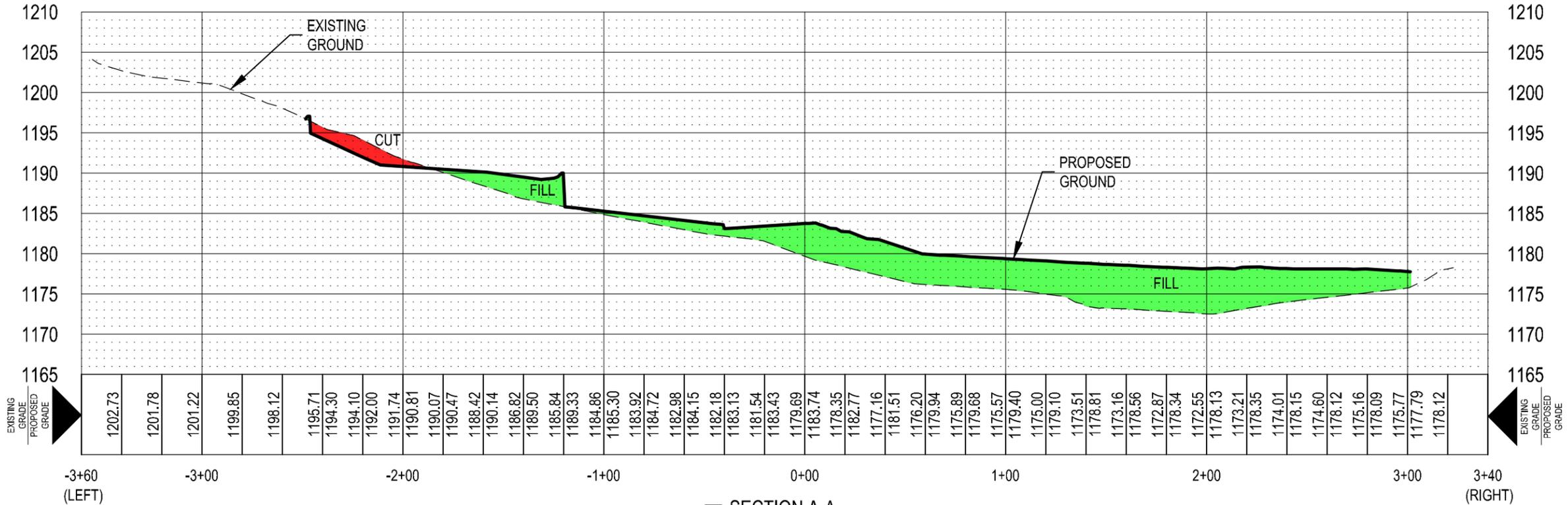
8 SPENCER ROAD SUITE 100
BOERNE, TEXAS 78006
CONTACT @ MATKINHOOPER.COM
TEXAS REGISTERED ENGINEERING FIRM F-006413 SURVEYING FIRM F-10021000

OVERALL CROSS SECTION EXHIBIT FOR
QUIKTRIP 4028
BULVERDE, TEXAS

JOB NO. 4028.00

Date: Oct 23, 2023, 10:03am User ID: rwood

Z:\PROJECTS\QUIKTRIP\4028 - QuikTrip Sites\028 - SH-46, Shell Lane\Final\A-C\A & B\EXISTING.DWG - Cross Section Exhibits.dwg



SHEET SIZE: 11" x 17"

REVISIONS:

MATKINHOOPER
ENGINEERING & SURVEYING

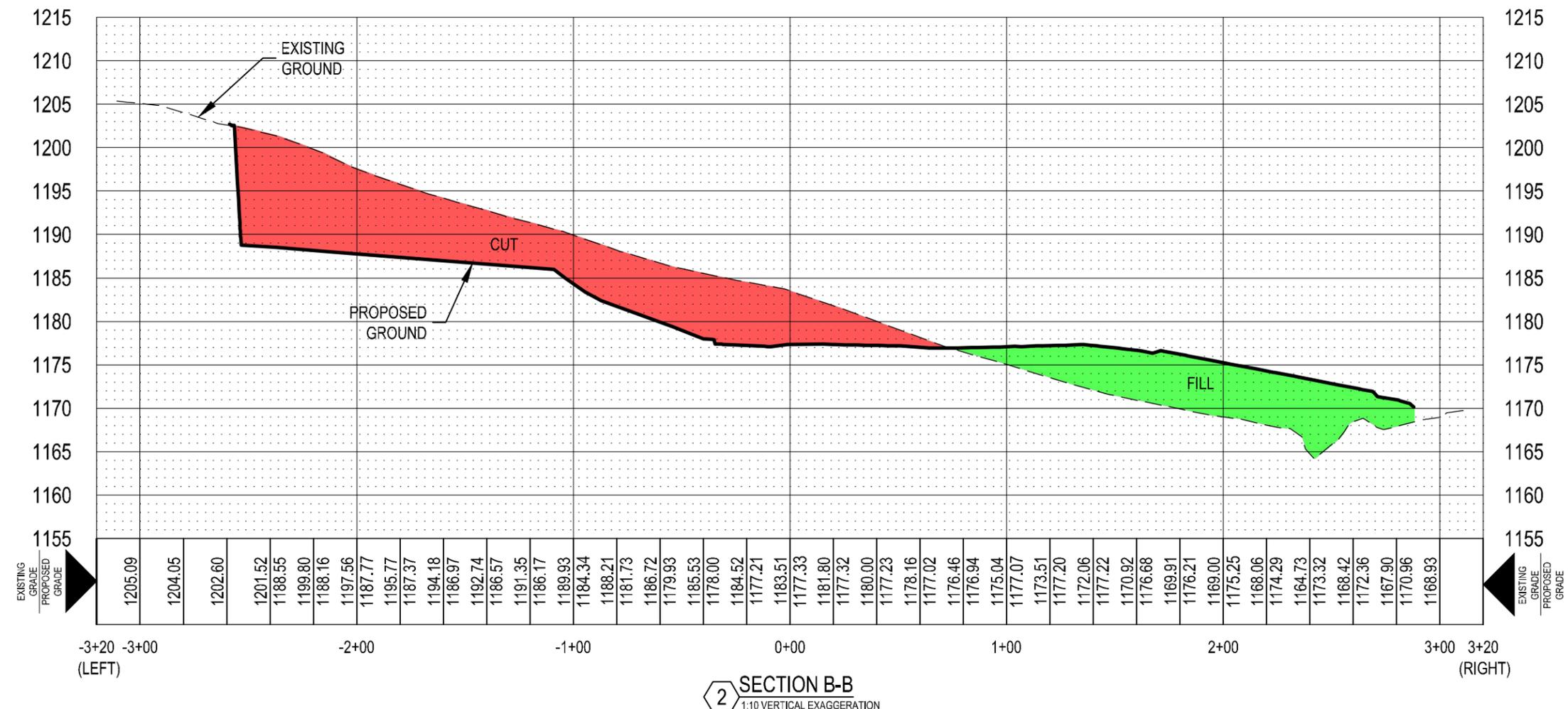
3303 SHELL ROAD SUITE 3
BOERNE, TEXAS 78006
OFFICE: 512-586-2344
CONTACT: 602@MATKINHOOPER.COM

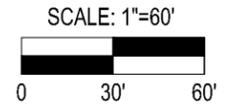
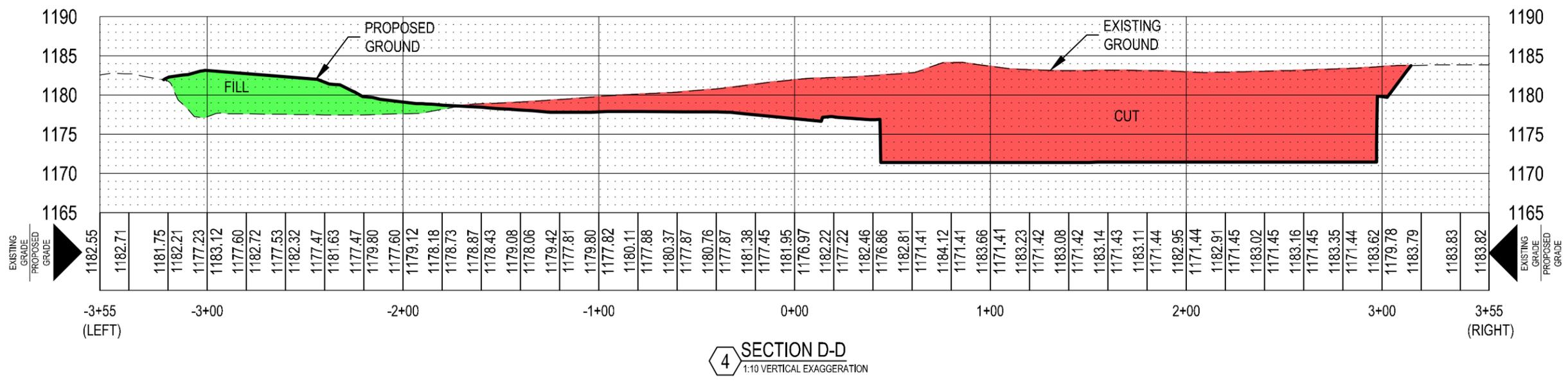
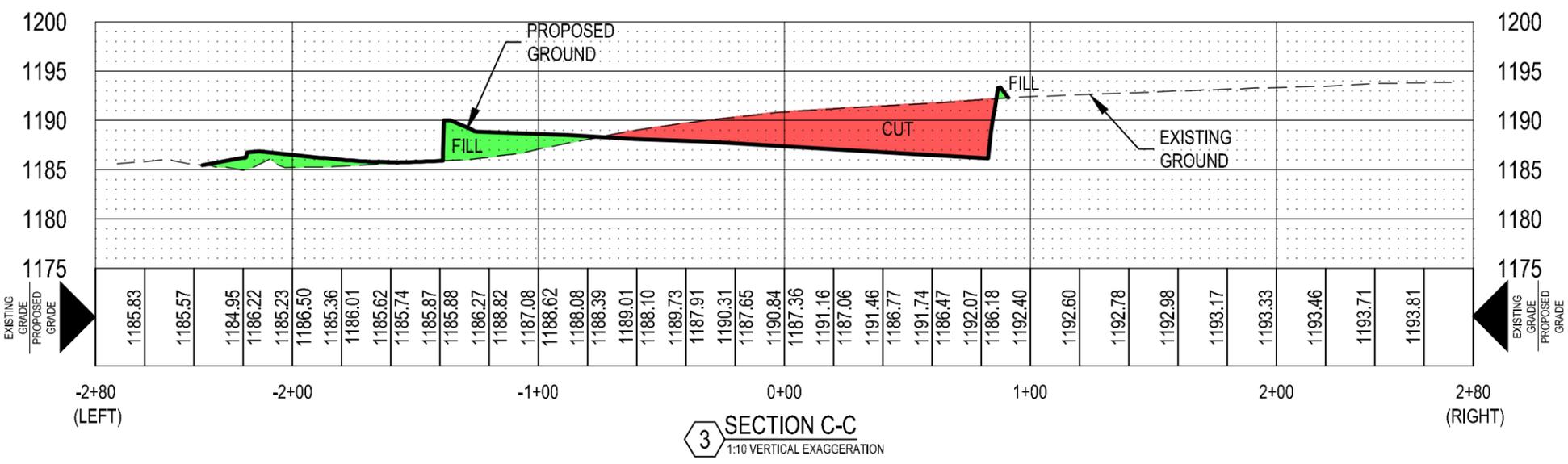
8 SPENCER ROAD SUITE 100
BOERNE, TEXAS 78006
OFFICE: 512-586-2344
CONTACT: 602@MATKINHOOPER.COM

TEXAS REGISTERED ENGINEERING FIRM F-006513 SURVEYING FIRM F-10021000

SECTION A-A & B-B
FOR
QUIKTRIP 4028
BULVERDE, TEXAS

JOB NO. 4028.00





SHEET SIZE: 11" x 17"

REVISIONS:

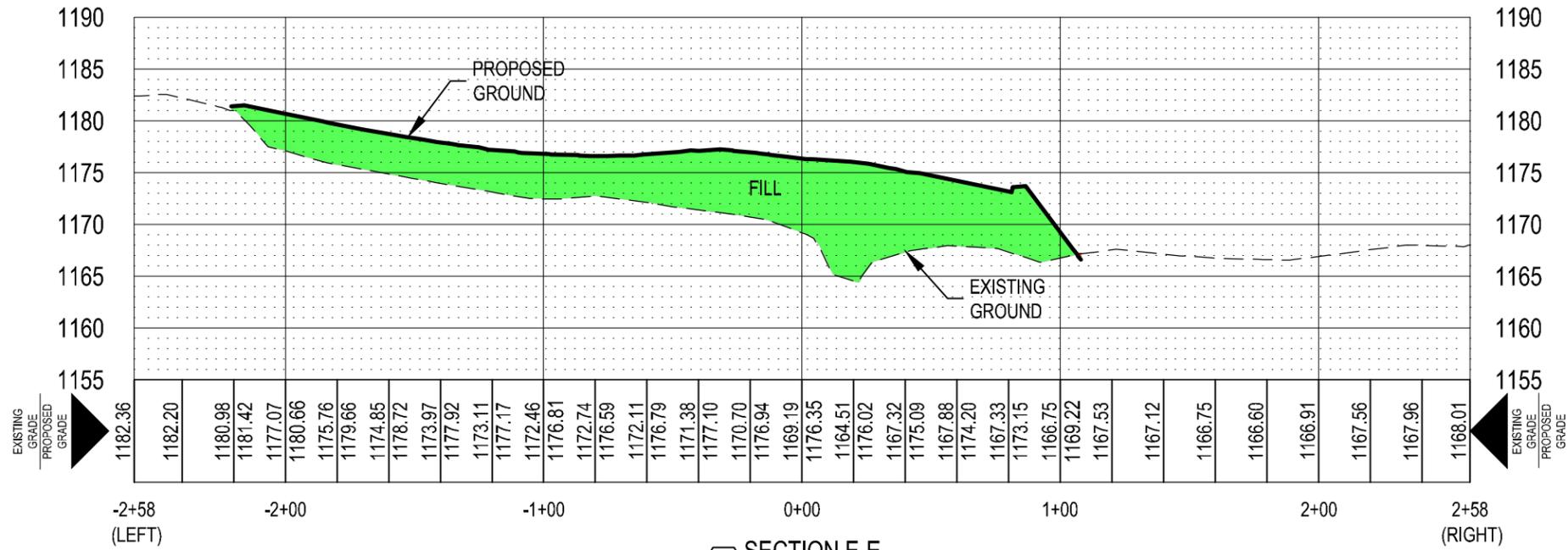
MATKIN-HOOVER
ENGINEERING & SURVEYING

3303 SHELL ROAD SUITE 3
BOERNE, TEXAS 78006
CONTACT: @MATKIN-HOOVER.COM
OFFICE: 512-866-2244

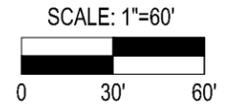
8 SPENCER ROAD SUITE 100
BOERNE, TEXAS 78006
CONTACT: @MATKIN-HOOVER.COM
TEXAS REGISTERED ENGINEERING FIRM F-006512 SURVEYING FIRM F-10021000

SECTION C-C & D-D
FOR
QUIKTRIP 4028
BULVERDE, TEXAS

JOB NO. 4028.00



5 SECTION E-E
1:10 VERTICAL EXAGGERATION



SHEET SIZE: 11" x 17"

REVISIONS:

MATKIN-HOOVER
ENGINEERING & SURVEYING

3303 SHELL ROAD SUITE 3
BOERNE, TEXAS 78006
CONTACT: @MATKIN-HOOVER.COM
OFFICE: 512.868.2344

8 SPENCER ROAD SUITE 100
BOERNE, TEXAS 78006
CONTACT: @MATKIN-HOOVER.COM

TEXAS REGISTERED ENGINEERING FIRM F-006413 SURVEYING FIRM F-10021000

SECTION E-E
FOR
QUIKTRIP 4028
BULVERDE, TEXAS

JOB NO. 4028.00