



NOTICE OF MEETING
PLANNING AND ZONING COMMISSION
6:00 P.M. – July 14, 2022

30360 Cougar Bend, Bulverde, TX 78163

MEETING AGENDA

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

2) APPROVAL OF MINUTES

- a. June 9, 2022, Special Planning and Zoning commission meeting

3) REGULAR AGENDA ITEMS

- A. PC-22-17 (Replat): Reconsideration of a Replat for Lot 37 & 38, Block 1, Centennial Ridge Unit 3, generally located 0.16 miles east of Banfield Pass and Adyson Ridge.
- B. PC-22-18 (Replat): Reconsideration of a Replat for Lots 2, 3 & 900 at HEB Bulverde, generally located near the intersection of Bulverde Crossing and State Highway 46.
- C. PC-22-23 (Replat): Consider the approval of a Replat for Lot 196 & 197, Oak Village North, Unit 2, located at 31227 Sunlight Drive.
- D. PC-22-24 (Vacate/Replat): Consider the approval of a Replat for Lot 119 and Lot 120, Block 10, Belle Oaks Ranch Phase IV, generally located near the intersection of Blanco Road and State Highway 46.
- E. PC-22-25 (Replat): Consider the approval of a Replat for Lot 27 and Lot 28, Block 12, Belle Oaks Ranch Phase VIII, generally located near the intersection of Blanco Road and State Highway 46.
- F. VR-22-11: Consider a request by U.S Signs for a variance to Section 3.08.102 (a)(2) of the City of Bulverde Code of Ordinances at 20475 State Highway 46 Suite 104.
- G. VR-22-12: Consider a request by Vantage, Inc. for a variance to Chapter 10, Subdivision Ordinance, Section 1.04 (b)(iv)(e), related to Master Development Plan Traffic Impact Analysis Requirements; of the City of Bulverde Code of Ordinances, on an approximately 280.42-acre tract of land, generally located at 0 Old Boerne Road.
- H. VR-22-13: Consider a request by Vantage, Inc. for a variance to Chapter 10, Subdivision Ordinance, Section 4.07 (f)(i)(5), related to Tree Survey preparation Requirements; of the City of Bulverde Code of Ordinances, on an approximately 280.42-acre tract of land, generally located at 0 Old Boerne Road.

4) EXECUTIVE SESSION

The Planning and Zoning Commission reserves the right to adjourn into executive session at any time regarding any item on the agenda for any reason authorized by Chapter 551, Texas Government Code, including but not limited to the following sections:

551.071 – Consultation with attorney
551.072 – Deliberations regarding real property

5) 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.

6) 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.

7) 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 always readily accessible to the public, by 6:00 pm on July 11, 2022.

Susana Huerta, AICP
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
Special Meeting: June 9th, 2022

Meeting Duration: 6:00PM-8:27PM

CALL TO ORDER

Commission Members Present: Lindy Sisk (Chairman), Ted Hawkins, Joe Alexandre (Vice Chair), Seth Prescott, Jeffrey Burrier, Michelle Molina, Michael Beavers

Commission Members Absent: Gregory Porter

City Staff Present: Susana Huerta (Planning Director), Adrian Garcia (City Engineer), Jason Rammel (City Attorney), Grant Fore (Planner I),

APPROVAL OF MINUTES

- A. May 12th, 2022 Planning and Zoning Commission meeting. **Chairman Sisk made a motion to approve the May 12th, 2022 meeting minutes. The motion was seconded by Commissioner Molina and passed with a 7-0 vote.**

EXECUTIVE SESSION

None

REGULAR AGENDA ITEMS

- A. SUP-22-03 (Guest House): Hold a public hearing and consider a request by Austin Hansen for the approval of a Special Use Permit to allow a Guest House as an accessory use on Lot 19, Block 7, Belle Oaks Ranch Subdivision Phase V, located at 938 Maximo Ridge. **Director Huerta presented the staff report and answered questions asked by the commission. After further discussion, Commissioner Prescott made a motion to recommend approval of SUP-22-03, with the conditions of approval suggested by staff. Commissioner Molina seconded the motion and it passed with a 7-0 vote.**
- B. SUP-22-04 (Guest House): Hold a public hearing and consider a request by Ryan and Lauren Garrett for the approval of a Special Use Permit to allow a Guest House as an accessory use on Lot 88, Block 10, Belle Oaks Ranch Subdivision Phase VII, located at 34725 Carries Creek Drive. **Director Huerta presented the staff report and answered questions asked by the commission. After further discussion, Commissioner Burrier made a motion to recommend approval of SUP-22-04, with the conditions of approval suggested by Staff. Chairman Sisk seconded the motion and it passed with a 7-0 vote.**
- C. PC-22-06 (Preliminary): Reconsideration of a Preliminary Plat for Comal ISD Middle School 8, generally located near the intersection of US Highway 281 and Ancestral Trail. **Director Huerta presented the staff report and answered questions asked by the commission. After further discussion, Chairman Sisk made a motion to recommend approval of PC-22-06. The motion was seconded by Commissioner Prescott, and passed with a 3-0 vote, with Chairman Sisk and Commissioners Prescott and Molina voting in favor of the motion, and Commissioners Alexandre, Burrier, Hawkins and Beavers abstaining.**
- D. PC-22-08 (MDP): Reconsider the approval of a Master Development Plan (MDP) for the Lewis Creek Ranch Development, generally located approximately 5,807

feet West of US Highway 281 and Elm Valley Drive. **Director Huerta presented the staff report and answered questions asked by the commission. After public comment and discussion, due to unresolved review comments, Chairman Sisk made a motion to recommend denial of PC-22-08. The motion was seconded by Commissioner Burrier and passed with a 6-0 vote, with Commissioner Prescott abstaining.**

- E. PC-22-13 (Replat): Reconsideration of a Replat for Lot 19 & 20, Block 11, Belle Oaks Ranch Phase VII, generally located approximately 1.15 miles South of SH 46 on the East side of Blanco Road. **Director Huerta presented the staff report and answered questions asked by the commission. After further discussion, Commissioner Alexandre made a motion to recommend approval of PC-22-13. The motion was seconded by Commissioner Prescott and passed with a 7-0 vote.**
- F. PC-22-16: (MDP): Consider the approval of a Master Development Plan (MDP) for the Ventana II Development, generally located approximately 3700 feet east of the intersection of State Highway 46 and Blanco Road. **Director Huerta presented the staff report and answered questions asked by the commission. Due to unresolved review comments, Chairman Sisk made a motion to recommend denial of PC-22-16. The motion was seconded by Commissioner Beavers and passed with a 7-0 vote.**
- G. PC-22-17 (Replat): Consideration of a Replat for Lot 37 & 38, Block 1, Centennial Ridge Unit 3, generally located 0.16 miles east of Banfield Pass and Adyson Ridge. **Director Huerta presented the staff report and answered questions asked by the commission. Due to unresolved review comments, Commissioner Molina made a motion to recommend denial of PC-22-17. The motion was seconded by Commissioner Alexandre and passed with a 6-0 vote, with Commissioner Prescott abstaining.**
- H. PC-22-18 (Replat): Consideration of a Replat for Lots 2, 3 & 900 at HEB Bulverde, generally located near the intersection of Bulverde Crossing and State Highway 46. **Director Huerta presented the staff report and answered questions asked by the commission. Due to unresolved review comments, Commissioner Hawkins made a motion to recommend denial of PC-22-18. The motion was seconded by Commissioner Burrier and passed with a 7-0 vote.**
- I. PC-22-19 (Conveyance): Consideration of a Conveyance Plat for 13.251 acres located Southwest of FM 1863 & Wiley Road. **Director Huerta presented the staff report and answered questions asked by the commission. After further discussion, Commissioner Molina made a motion to recommend approval of PC-22-19. The motion was seconded by Chairman Sisk and passed with a 7-0 vote.**
- J. PC-22-20 (Vacate/Replat): Consider the approval of a Vacate and Replat of Bulverde Commercial Subdivision, located East of Highway 281 & Ancestral Trail. **Director Huerta presented the staff report and answered questions asked by the commission. After further discussion, due to unresolved review comments, Chairman Sisk made a motion to recommend denial of PC-22-20. The motion was seconded by Commissioner Prescott and passed with a 7-0 vote.**

- K. PC-22-21 (Replat): Consider the approval of a Replat of Lots 1, 2 and 3, Bulverde Oaks Unit 1, Establishing Lots 1R and 2R, generally located at the intersection of Wildridge Terrace and Sierra Vista Drive. **Director Huerta presented the staff report and answered questions asked by the commission. After further discussion, Commissioner Prescott made a motion to recommend approval of PC-22-21. The motion was seconded by Commissioner Burrier and passed with a 7-0 vote.**
- L. PC-22-22 (Final Plat): Consideration of a Final Plat for Victorian Oaks at 980 Old Boerne Rd, generally located 1.2 miles west of the intersection of Highway 46 and Old Boerne Rd. **Director Huerta presented the staff report and answered questions asked by the commission. After further discussion, due to unresolved review comments, Commissioner Hawkins made a motion to recommend denial of PC-22-22. The motion was seconded by Commissioner Prescott and passed with a 7-0 vote.**
- M. VR-22-10: Consider a request by CPS Energy for a variance to Chapter 3, Section 3.10.031(4.A), related to a utility street cut on a road surface that has been overlaid within the past seven (7) years. **City Engineer Adrian Garcia presented the staff report and answered questions asked by the commission. After further discussion, Chairman Sisk made a motion to recommend approval of VR-22-10. The motion was seconded by Commissioner Prescott and passed with a 7-0 vote.**

PUBLIC COMMENTS

None

REPORT BY CITY OFFICIALS AND STAFF ON ITEMS OF COMMUNITY INTEREST

ADJOURNMENT

There being no further business to come before the Commission, the meeting adjourned at 8:27 p.m. I certify that the above minutes were approved by the Commission on July 14th, 2022.

Maria Franco, City Secretary



PLANNING AND ZONING COMMISSION ITEM:
PC-22-17

REPLAT

Replat of Lots 37 & 38
Centennial Ridge Unit 3

MEETING DATE: July 14th, 2022

DEPARTMENT: Planning & Development

PRESENTED BY: Susana Huerta, AICP, Planning Director

REQUEST:

Reconsider the approval of a Replat (Revision) for Lot 37 & 38 Block 1, Centennial Ridge Unit 3, generally located 0.16 miles east of Banfield Pass and Adyson Ridge.

APPLICANT:

John and Carissa Cash
1301 Desert Gold
Boerne, TX 78006

PROPERTY INFORMATION:

Owner: John and Carissa Cash
Legal Description: LOTS 37 & 38, BLOCK 1, CENTENNIAL RIDGE UNIT 3
Size: 11.13 acres; 2 lots
Existing Land Use: Undeveloped
Existing Zoning: R-1 Residential
Proposed Land-Use: Single Family Residential

SUMMARY & ANALYSIS:

This is a proposed replat of 11.13 acres, which was previously platted as Lot 37, Block 1 and Lot 38, Block 1 of Centennial Ridge Unit 3 at the time of original approval. The purpose of this replat is to combine Lots 37 and 38, Block 1, creating Lot 37R.

Utility and drainage easements between the two original lots have been released by the appropriate utility service providers – Canyon Lake Water Service Company (CLWSC), Guadalupe Valley Telephone Cooperative, Inc. (GVTC), and Pedernales Electric Cooperative (PEC).

STAFF RECOMMENDATION:

The application, plat and required documents have been reviewed by Halff Associates and City staff. All comments made during review have been addressed.

Therefore, Staff recommends APPROVAL of this Replat.

ATTACHMENTS:

Application

Plat

Plat Review Memo



APPLICATION FOR REPLAT

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.

- Name of Subdivision: Centennial Ridge Unit No 3
Location Description/Nearest Intersection: 0.16 miles East of Banfield Pass Ave and Adyson Ridge
- Owner/Applicant: John and Carissa Cash
Address: 1301 Desert Gold Boerne, TX 78006 Email: rissajess02@yahoo.com
Telephone: 281-740-8501 Fax: _____ Mobile: _____
Note: If applicant is person other than owner, a letter of authorization must be provided from owner.
- Licensed Engineer/Surveyor (technical contact): Dylan Buysse, Project Surveyor
Address: 874 Harper Rd, Suite 104 Kerrville, TX Email: dbuysse@mds-surveying.com
Telephone: _____ Fax: _____ Mobile: _____
- Property Details:

| | | | |
|-----------------------------------|--|-----------------------|---|
| City Limits: | <input checked="" type="checkbox"/> In <input checked="" type="checkbox"/> Out (ETJ) | Water Source: | <u>Water well</u> |
| Commercial: | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | Sewage Treatment: | <u>on-site septic</u> |
| Residential: | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | TxDOT Frontage: | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| No. of Lots: | <u>1</u> | 100-Year Floodplain: | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| Total Acreage without floodplain: | <u>11.13</u> | Edwards Aquifer Zone: | <input type="checkbox"/> Recharge <input checked="" type="checkbox"/> Contributing |
| Density Class: | _____ | | |
| Zoning Class: | <u>R1</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.

[Signature] _____ 04/11/2022 _____
Signature of Owner/Applicant Date

Fees and Submittal Dates on Page 2

Fees:

Replats/Vacating Plats

- \$750.00 + \$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

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 Tier 2 Commercial/Industrial/Multi-Family

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

SUBMITTAL DATES: NOVEMBER 2021 – DECEMBER 2022

| Planning & Zoning Meeting | City Council Meeting | Submittal Date |
|--------------------------------------|-----------------------------|---------------------------|
| NOVEMBER 10, 2021 | DECEMBER 14, 2021 | OCTOBER 12, 2021 |
| DECEMBER 9, 2021 | JANUARY 11, 2022 | NOVEMBER 9, 2021 |
| JANUARY 13, 2022 | FEBRUARY 8, 2022 | DECEMBER 14, 2021 |
| FEBRUARY 10, 2022 | MARCH 8, 2022 | JANUARY 11, 2022 |
| MARCH 10, 2022 | APRIL 12, 2022 | FEBRUARY 8, 2022 |
| APRIL 14, 2022 | MAY 10, 2022 | MARCH 15, 2022 |
| MAY 12, 2022 | JUNE 14, 2022 | APRIL 12, 2022 |
| JUNE 9, 2022 | JULY 12, 2022 | MAY 10, 2022 |
| JULY 14, 2022 | AUGUST 9, 2022 | JUNE 14, 2022 |
| AUGUST 11, 2022 | SEPTEMBER 13, 2022 | JULY 19, 2022 |
| SEPTEMBER 8, 2022 | OCTOBER 11, 2022 | AUGUST 9, 2022 |
| OCTOBER 13, 2022 | NOVEMBER 8, 2022 | SEPTEMBER 13, 2022 |
| NOVEMBER 10, 2022 | DECEMBER 13, 2022 | OCTOBER 11, 2022 |
| DECEMBER 8, 2022 | JANUARY 10, 2023 | NOVEMBER 8, 2022 |



Planning and Development Replat Application Checklist

ALL SUBMITTALS MUST FOLLOW THE FOLLOWING REQUIREMENTS TO BE ACCEPTED BY THE CITY OF BULVERDE FOR INITIAL REVIEW

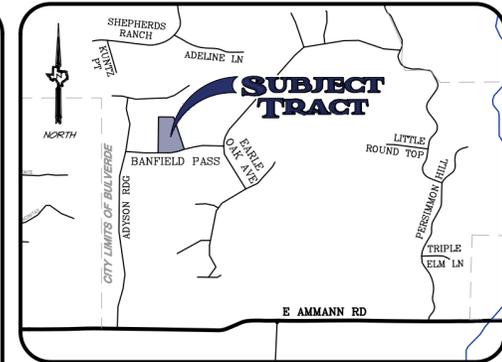
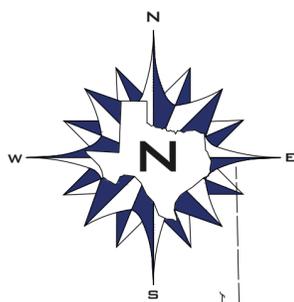
- 2 full-size physical copy and digital copy on 18" by 24" sheets with a minimum of a 1/2-inch margin of proposed plat document
- 1 physical copy of Replat Application
- One electronic copy of each document required below and plat drawing(s) in PDF format.
- A check or money order for the platting fee, review fee and other required fees.
 - Plat Application & Review Fee
 - SWMP Review Fee (if applicable)
 - TIA Fee (if applicable)
- If public notification is required, submit to the City a map of the lots in the original subdivision within 200 feet of the replat accompanied by a list of property owners of the lots from the most current tax roll
 - Refer to Chapter 10, Exhibit A, Section 1.04 of the Code of Ordinances for conditions that require public notification
- A digital copy of a Traffic Impact Analysis
 - NOT REQUIRED IF NUMBER OF LOTS DOES NOT INCREASE
- A digital copy of an Environmental Assessment
 - NOT REQUIRED IF NUMBER OF LOTS DOES NOT INCREASE
- A digital copy of Water System Study
 - NOT REQUIRED IF NUMBER OF LOTS DOES NOT INCREASE
- A digital copy of Sewer System Study
 - NOT REQUIRED IF NUMBER OF LOTS DOES NOT INCREASE
- A digital copy of Stormwater Management Plan
 - NOT REQUIRED IF IMPERVIOUS COVER WILL NOT INCREASE
- A digital copy of Variance Requests (if any)
- A digital copy of Original Tax Certificates
 - City
 - County
 - School
- A digital copy of Letter of Agent or other power of attorney authorizing signature of Owner on plat

REPLAT

CENTENNIAL RIDGE UNIT 3, LOTS 37 & 38, BLOCK 1, ESTABLISHING LOT 37R BLOCK 1
 BEING A TOTAL OF 11.13 ACRES, ORIGINALLY OUT OF A. M. HOLBROOK SURVEY, ABSTRACT 270, AND LOTS 37 AND 38, BLOCK 1, CENTENNIAL RIDGE UNIT 3, RECORDED IN DOCUMENT NO. 202006046126, MPRCC



SCALE: 1" = 100'



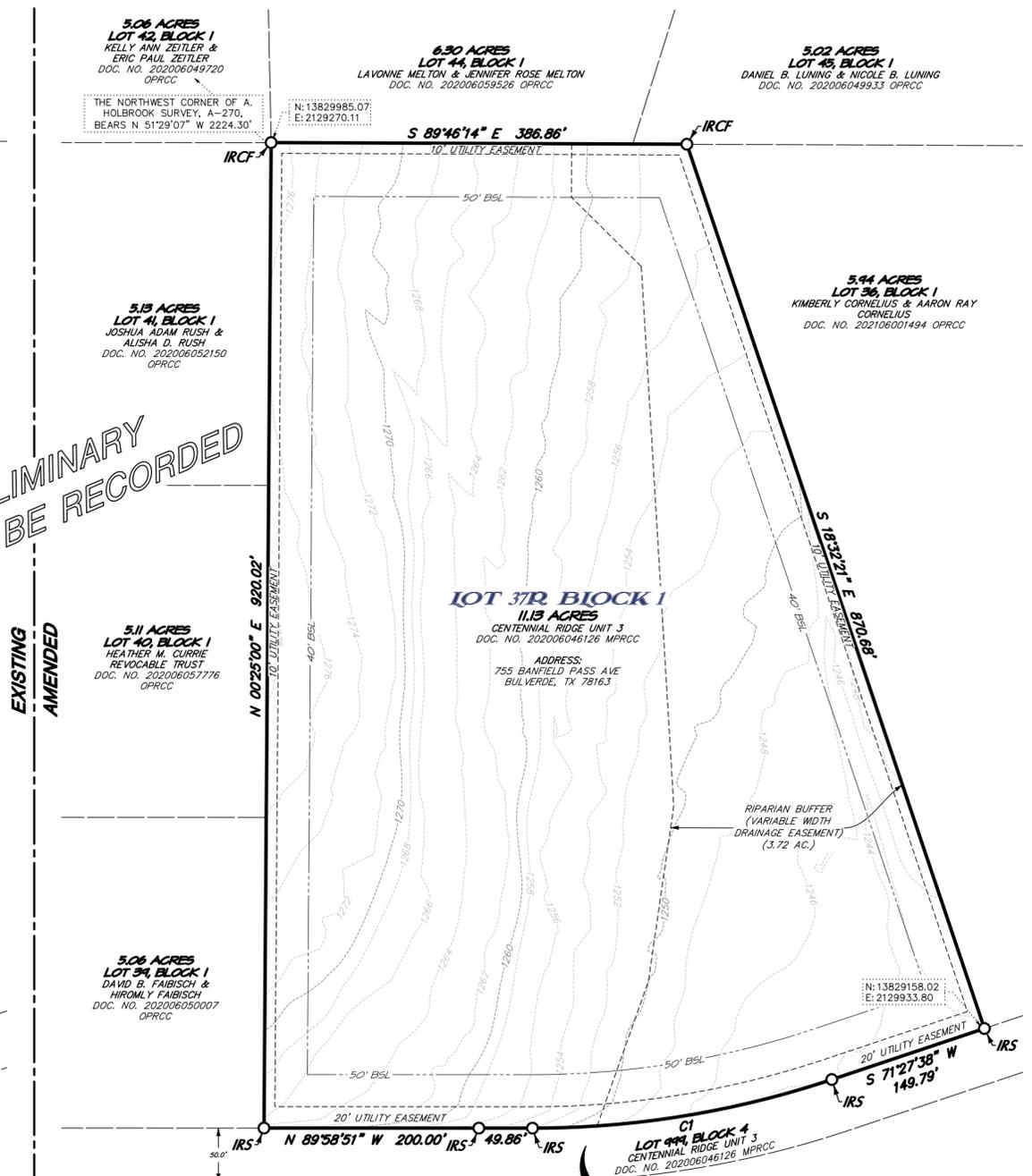
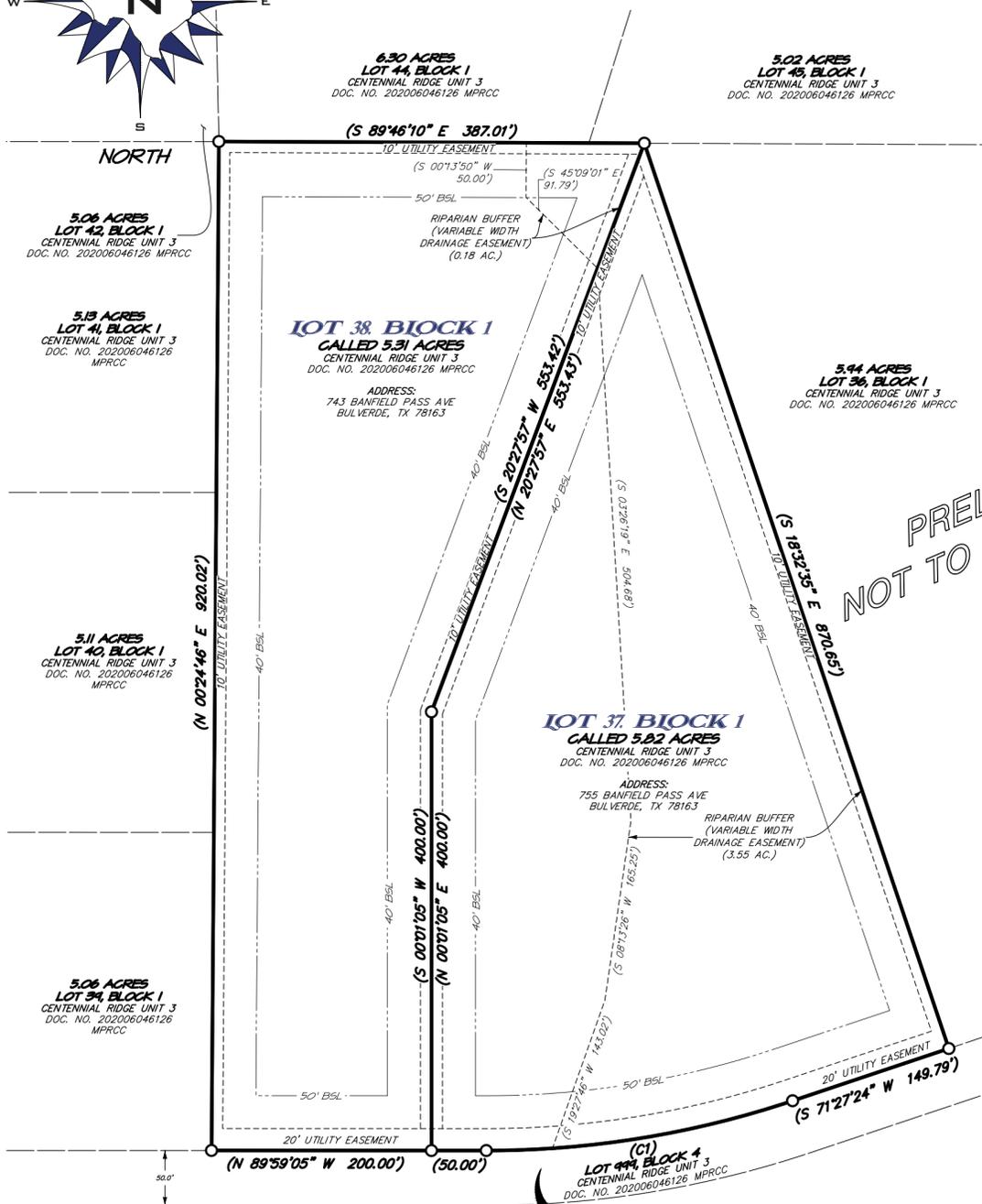
VICINITY MAP
NOT TO SCALE

LEGEND:

- () RECORD BEARING & DISTANCE
- BSL BUILDING SETBACK LINE
- IRCF 1/2" IRON ROD W/ JONES CARTER CAP FOUND
- IRS 1/2" IRON ROD W/ MDS CAP SET
- MPRCC MAP AND PLAT RECORDS OF COMAL COUNTY
- OPRCC OFFICIAL PUBLIC RECORDS OF COMAL COUNTY
- PROPERTY CORNER (TYPE NOTED)
- ADJOINER LINE
- BOUNDARY LINE
- CONTOUR LINE
- CONTOUR LINE (INDEX)
- BUILDING SETBACK LINE
- EASEMENT LINE

GENERAL NOTES:

1. BEARINGS AND COORDINATES SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM OF 1983, SOUTH CENTRAL ZONE (4204).
2. DISTANCES SHOWN HEREON ARE GRID LENGTHS.
3. FIELD SURVEY COMPLETED 9-1-2021.
4. VISIBLE IMPROVEMENTS/UTILITIES WERE LOCATED WITH THIS SURVEY; NO SUBSURFACE PROBING, EXCAVATION OR EXPLORATION WAS PERFORMED FOR THIS SURVEY. UNDERGROUND UTILITIES MAY EXIST WHICH ARE NOT SHOWN HEREON.
5. ACCORDING TO COMMUNITY PANEL NO. 48091C0215F OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAPS FOR COMAL COUNTY, TEXAS, HAVING A MAP REVISED DATE OF SEPTEMBER 2, 2009, THE SUBJECT TRACT IS SITUATED WITHIN UNSHADED ZONE "X", DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR. THE LOWEST 100-YEAR FLOODPLAIN LIMITS ARE SHOWN ON SAID FIRM MAP.
6. ALL OF THE CENTENNIAL RIDGE SUBDIVISION FALLS WITHIN THE EDWARDS AQUIFER CONTRIBUTING ZONE. CONSTRUCTION WITHIN THIS SUBDIVISION IS SUBJECT TO THE CONDITIONS OUTLINED IN THE CONTRIBUTING ZONE PLAN (CZP ID NO. 13000887) APPROVED BY THE TEXAS COMMISSION ON ENVIRONMENTAL EQUALITY (TCEQ) ON APRIL 24, 2019.
7. ELEVATIONS SHOWN HEREON REFERENCE NAVD 88 VERTICAL DATUM AS DETERMINED BY GPS OBSERVATIONS. (US SURVEY FEET)
8. CONTOUR LINES SHOWN HEREON ARE IN CONJUNCTION WITH GPS OBSERVATIONS TAKEN AT THE TIME OF THIS SURVEY. (CONTOUR INTERVALS = 2 FOOT)
9. TOTAL NUMBER OF LOTS IN THIS PLAT: 1, WITH 11.13 ACRES.
10. THERE ARE NO IMPROVEMENTS ON THIS PROPERTY AT THE TIME OF PLATING.
11. NO DISTURBANCE SHALL BE PERMITTED WITHIN THE RIPARIAN BUFFERS ESTABLISHED ON THIS PLAT. NO STRUCTURES, FENCES, WALLS OR OTHER OBSTRUCTIONS THAT IMPEDE DRAINAGE SHALL BE PLACED WITHIN THE LIMITS OF THE DRAINAGE EASEMENTS SHOWN ON THIS PLAT.
12. DRIVEWAY CULVERTS ARE REQUIRED AT ALL DRIVEWAY CROSSINGS OF A ROADSIDE CHANNEL. DRIVEWAY CULVERTS MUST BE APPROPRIATELY SIZED TO CONVEY DRAINAGE WITHOUT BACKING UP DRAINAGE UPSTREAM OF THE CULVERT.
13. THE PRIVATE STREET (LOT 39R, BLOCK 4) IS AN EGTC AND DRAINAGE EASEMENT. (TOTAL LINEAR FEET OF STREETS = 6,141 LF)
14. THE DEVELOPMENT OF CENTENNIAL RIDGE UNIT 3 IS SUBJECT TO THE DEVELOPMENT AGREEMENT "AMENDMENT NO. 1 COLE" EFFECTIVE SEPTEMBER 4, 2018 AND THE DEVELOPMENT REGULATIONS STIPULATED IN ARTICLE 1 OF THE AGREEMENT.
15. THE MAINTENANCE OF ALL PRIVATE STREETS, OPEN SPACE, GREENBELTS, PARKS, DRAINAGE EASEMENTS AND EASEMENTS OF ANY NATURE WITHIN CENTENNIAL RIDGE SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNERS' ASSOCIATION OR THEIR SUCCESSORS AND NOT THE RESPONSIBILITY OF THE CITY OF BULVERDE OR COMAL COUNTY.
16. A 10' UTILITY EASEMENT IS PRESENT ALONG THE SIDE AND BACK LOT LINES OF EACH LOT AND A 20' UTILITY EASEMENT IS PRESENT ALONG THE ROAD FRONTAGE OF EACH LOT.
17. THE PROPERTY IS LOCATED WITHIN THE CITY LIMITS OF BULVERDE, TEXAS.



CURVE TABLE (EXISTING)

| CURVE | RADIUS | ARC LENGTH | CHORD LENGTH | CHORD BEARING | DELTA ANGLE |
|-------|---------|------------|--------------|---------------|-------------|
| (C1) | 875.00' | 283.42' | 282.18' | S 80°44'09" W | 18°33'30" |

CURVE TABLE (AMENDED)

| CURVE | RADIUS | ARC LENGTH | CHORD LENGTH | CHORD BEARING | DELTA ANGLE |
|-------|---------|------------|--------------|---------------|-------------|
| C1 | 875.00' | 283.42' | 282.18' | S 80°44'23" W | 18°33'30" |

CERTIFICATE OF OWNERSHIP:

STATE OF TEXAS
 COUNTY OF _____
 THE OWNERS OF LAND SHOWN ON THIS PLAT, WHOSE NAMES ARE SUBSCRIBED HERETO AND IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, HEREBY CERTIFY THAT WE ADOPT THIS PLAN OF SUBDIVISION WITH OUR FREE CONSENT, ESTABLISH THE MINIMUM BUILDING RESTRICTION LINES, AND DEDICATE ALL PUBLIC STREETS, ALLEYS, WALKS, PARKS AND OTHER OPEN SPACES TO PUBLIC USE AS NOTED. TO CERTIFY WHICH,
 WITNESS BY MY HAND THIS ____ DAY OF _____, 2022

NOTARY:

STATE OF TEXAS
 COUNTY OF _____
 BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED JOHN AND CARISSA CASH, KNOWN TO ME TO BE THE PERSONS WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED. GIVEN UNDER MY HAND AND SEAL OF OFFICE AND DATED THIS ____ DAY OF _____, 2022

CERTIFICATE OF LIENHOLDER:

STATE OF TEXAS
 COUNTY OF _____
 THE LIENHOLDER OF LAND SHOWN ON THIS PLAT, WHOSE NAMES ARE SUBSCRIBED HERETO AND IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, HEREBY CERTIFY THAT WE ADOPT THIS PLAN OF SUBDIVISION WITH OUR FREE CONSENT, ESTABLISH THE MINIMUM BUILDING RESTRICTION LINES, AND DEDICATE ALL PUBLIC STREETS, ALLEYS, WALKS, PARKS AND OTHER OPEN SPACES TO PUBLIC USE AS NOTED. TO CERTIFY WHICH, WITNESS BY MY HAND THIS ____ DAY OF _____, 2022

NOTARY:

STATE OF TEXAS
 COUNTY OF _____
 BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED FIRST UNITED BANK AND TRUST COMPANY, KNOWN TO ME TO BE THE PERSONS WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED. GIVEN UNDER MY HAND AND SEAL OF OFFICE AND DATED THIS ____ DAY OF _____, 2022

COUNTY CLERK:

STATE OF TEXAS
 COUNTY OF COMAL
 I, HONORABLE BOBBIE KOEPP, COUNTY CLERK FOR COMAL COUNTY, DO HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN MY OFFICE ON THE DAY OF _____, 2022 AT _____ M. AND DULY RECORDED THE ____ DAY OF _____, A.D., 2022 AT _____ M. IN THE RECORDS OF MAPS AND PLATS IN SAID OFFICE, OF SAID COUNTY, IN DOCUMENT # _____ IN TESTIMONY WHEREOF WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS ____ DAY OF _____, A.D., 2022

PLANNING & ZONING:

STATE OF TEXAS
 COUNTY OF COMAL
 THIS PLAT OF REPLAT OF LOTS 37 & 38, BLOCK 1, CENTENNIAL RIDGE UNIT 3, ESTABLISHING LOT 37R, 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 _____, 2022.

PLANNING DIRECTOR:

STATE OF TEXAS
 COUNTY OF COMAL
 THIS PLAT OF REPLAT OF LOTS 37 & 38, BLOCK 1, CENTENNIAL RIDGE UNIT 3, ESTABLISHING LOT 37R, WAS FILED WITH THE CITY OF BULVERDE, TEXAS ON THE ____ DAY OF _____, 2022. THE CITY COUNCIL OF THE CITY OF BULVERDE FAILED TO ACT UPON SUCH PLAT WITHIN THE TIME PERIOD PRESCRIBED BY CHAPTER 214, TEXAS LOCAL GOVERNMENT CODE.
 DATED THIS ____ DAY OF _____, 2022.

SURVEYOR'S AFFIRMATION:

STATE OF TEXAS
 COUNTY OF KERR
 I, JEFF BOERNER, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, REGISTRATION NO. 4939, HEREBY STATE THAT DURING THE MONTH OF SEPTEMBER 2021, A SURVEY OF THE REAL PROPERTY SHOWN HEREON WAS MADE UPON THE GROUND UNDER MY DIRECTION AND SUPERVISION.
 For interim review only.
 Jeff Boerner, RPLS No. 4939
 June 9, 2022
 TAC 22 Part 29 § 663.18
 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.
 JEFF BOERNER, RPLS # 4939

JOHN CASH
 1301 DESERT GOLD
 BOERNE, TEXAS 78006
 (OWNER LOTS 37 & 38, BLOCK 1)

CARISSA CASH
 1301 DESERT GOLD
 BOERNE, TEXAS 78006

FIRST UNITED BANK AND TRUST COMPANY
 19099 FM 2252
 GARDEN RIDGE, TEXAS 78266
 (LIENHOLDER)

COMAL COUNTY CLERK
 COMAL COUNTY, TEXAS
 BY: _____
 DEPUTY TO COUNTY CLERK

CHAIRPERSON

PLANNING DIRECTOR

MDS LAND SURVEYING COMPANY, INC.
 ALTA | BOUNDARY | CONSTRUCTION | OIL & GAS | TOPOGRAPHIC
 TEXAS BOARD OF PROFESSIONAL LAND SURVEYING FIRM REGISTRATION NO. 10019600
 874 HARPER RD, SUITE 104 • KERRVILLE, TX 78028 • 830-816-1818
 JOB No. 22-100-00 SURVEYORS: JB/DB SHEET 1 OF 1



Half Associates, Inc.
100 NE Loop 410, Suite 200
San Antonio, Texas 78216
(210) 798-1895
Fax (210) 798-1896

REVIEW MEMORANDUM

TO: Dylan Buysse
dbuysse@mds-surveying.com
MDS Land Surveying Company, Inc.
874 Harper Road, Suite 104
Kerrville, Texas 78028

FROM: Chelsy Houy, PE, CFM
chouy@half.com

SUBJECT: Replat of Centennial Ridge
Unit 3, Lots 37 & 38, Block 1
PC-22-17
Acceptance Memo

DATE: July 7, 2022

Half Associates, on behalf of the City of Bulverde, has performed a review on the **Replat of Centennial Ridge, Unit 3, Lot 37 & 38, Block 1**, dated 06/09/2022. The review was conducted relative to the requirements established in the Subdivision Ordinance of the City of Bulverde, the Bulverde Drainage Design Manual (BDDM) AND the Development Agreement dated September 4th, 2018 (between the City of Bulverde and Robert B. Cole/DTB Investments, LP.). The following items were reviewed, with resolved items noted in [blue](#). Based on our review of the referenced documents, Half Associates has no further comments and recommends approval.

Plat specifications, Ordinance Section 1.05(b)

1. Revise the title of the plat from “amending” to “replat” and remove Table of Amendments. – [Comment Resolved](#)
2. Remove Staff Approval block and add Planning & Zoning and Planning Director blocks as stated below with the title of the plat document filled in and underlined. – [Comment Resolved](#)

THIS PLAT OF _____ 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 THE _____ DAY OF _____, 20__

BY: _____

CHAIRPERSON



Half Associates, Inc.
100 NE Loop 410, Suite 200
San Antonio, Texas 78216
(210) 798-1895
Fax (210) 798-1896

THIS PLAT OF _____ WAS FILED WITH THE CITY OF BULVERDE, TEXAS ON THE _____ DAY OF _____, 20____. THE CITY COUNCIL OF THE CITY OF BULVERDE FAILED TO ACT UPON SUCH PLAT WITHIN THE TIME PERIOD PRESCRIBED BY CHAPTER 214, TEXAS LOCAL GOVERNMENT CODE.

DATED THE _____ DAY OF _____, 20____

BY: _____

PLANNING DIRECTOR

3. Add Lienholder address and certification to plat in addition to owner address and certification [Section 1.05(b)(5) and 1.05(b)(6)]. – [Comment Resolved](#)
4. Adjoining owner information should include acreage [Section 1.05(b)(21)]. – [Comment Resolved](#)

Plat Supporting Documents, Ordinance Section 1.04(c)

No Comments



PLANNING AND ZONING COMMISSION ITEM:
PC-22-18

REPLAT

Replat of Lots 2, 3 & 900
HEB Bulverde

MEETING DATE: July 14th, 2022

DEPARTMENT: Planning & Development

PRESENTED BY: Susana Huerta, AICP, Planning Director

REQUEST:

Reconsider the approval of a Replat for Lots 2, 3 & 900 at HEB Bulverde, generally located near the intersection of Bulverde Crossing and State Highway 46.

APPLICANT:

Texas Regional Bank c/o Alex Meade

PROPERTY INFORMATION:

Owner: Texas Regional Bank c/o Alex Meade
Legal Description: LOTS 2, 3 & 900 HEB BULVERDE
Size: 25.552 acres; 3 lots
Existing Land Use: Commercial
Existing Zoning: C-2 Commercial
Proposed Land-Use: Commercial

SUMMARY & ANALYSIS:

This is a proposed replat of 25.552 acres, which was previously platted as Lot 1, HEB Bulverde. The purpose of this replat is to create 3 lots, lots 2, 3 and 900.

STAFF RECOMMENDATION:

The application, plat and required documents have been reviewed by Halff Associates and City Staff. Revisions were submitted for reconsideration at this meeting; however, review comments for those revisions have not been addressed.

Therefore, staff recommends DENIAL of this replat.

ATTACHMENTS:

Application
Plat
Plat Review Memo



APPLICATION FOR REPLAT

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: H.E.B. - Bulverde Retail Lots 2, 3, & 900 Unit No N/A
 Location Description/Nearest Intersection: _____
At the southwestern and southeastern intersection of Bulverde Crossing and State Highway 46

2. Owner Applicant: Texas Regional Bank (Alex Meade)
 Address: 6770 W. Expressway 83 / Interstate 2, 4th Floor Harlingen, TX 78552 Email: ameade@texasregionalbank.com
 Telephone: _____ Fax: _____ Mobile: (956) 455-1934
Note: If applicant is person other than owner, a letter of authorization must be provided from owner.

3. Licensed Engineer/Surveyor (technical contact): Shauna Weaver, P.E.
 Address: 2000 NW Loop 410 San Antonio Texas 78213 Email: sweaver@pape-dawson.com
 Telephone: (210) 375-9000 Fax: _____ Mobile: _____

4. Property Details:

| | | | | |
|-----------------------------------|---|--|-----------------------|---|
| City Limits: | <input checked="" type="checkbox"/> In | <input type="checkbox"/> Out (ETJ) | Water Source: | <u>CLWSC</u> |
| Commercial: | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | Sewage Treatment: | <u>CLWSC</u> |
| Residential: | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | TxDOT Frontage: | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| No. of Lots: | <u>3</u> | | 100-Year Floodplain: | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| Total Acreage without floodplain: | <u>25.552</u> | | Edwards Aquifer Zone: | <input type="checkbox"/> Recharge |
| Density Class: | <u>N/A</u> | | | <input checked="" type="checkbox"/> Contributing |
| Zoning Class: | <u>C2</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.


 Signature of Owner/Applicant

05/09/22
 Date

Fees and Submittal Dates on Page 2

\$1,530

Fees: \$1,530 + \$2,760 = **\$4,290**

Replats/Vacating Plats

- \$750.00 + \$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

TIA review fee has already been paid. Please see attached documentation

Total = 25.552 acres => 26 acres * 30 = \$780 + \$750 = \$1,530

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 Tier 2 Commercial/Industrial/Multi-Family

- \$1750 - (0-5 acres)
- \$2500 + \$10/acre (5+ acres) ← \$2,760

Total = 25.552 acres => 26 acres * 10 = \$260 + \$2,500 = \$2,760

SUBMITTAL DATES: NOVEMBER 2021 – DECEMBER 2022

| Planning & Zoning Meeting | City Council Meeting | Submittal Date |
|---------------------------|----------------------|--------------------|
| NOVEMBER 10, 2021 | DECEMBER 14, 2021 | OCTOBER 12, 2021 |
| DECEMBER 9, 2021 | JANUARY 11, 2022 | NOVEMBER 9, 2021 |
| JANUARY 13, 2022 | FEBRUARY 8, 2022 | DECEMBER 14, 2021 |
| FEBRUARY 10, 2022 | MARCH 8, 2022 | JANUARY 11, 2022 |
| MARCH 10, 2022 | APRIL 12, 2022 | FEBRUARY 8, 2022 |
| APRIL 14, 2022 | MAY 10, 2022 | MARCH 13, 2022 |
| MAY 12, 2022 | JUNE 14, 2022 | APRIL 12, 2022 |
| JUNE 9, 2022 | JULY 12, 2022 | MAY 10, 2022 |
| JULY 14, 2022 | AUGUST 9, 2022 | JUNE 14, 2022 |
| AUGUST 11, 2022 | SEPTEMBER 13, 2022 | JULY 19, 2022 |
| SEPTEMBER 8, 2022 | OCTOBER 11, 2022 | AUGUST 9, 2022 |
| OCTOBER 13, 2022 | NOVEMBER 8, 2022 | SEPTEMBER 13, 2022 |
| NOVEMBER 10, 2022 | DECEMBER 13, 2022 | OCTOBER 11, 2022 |
| DECEMBER 8, 2022 | JANUARY 10, 2023 | NOVEMBER 8, 2022 |

Submittal timeline



Planning and Development Replat Application Checklist

ALL SUBMITTALS MUST FOLLOW THE FOLLOWING REQUIREMENTS TO BE ACCEPTED BY THE CITY OF BULVERDE FOR INITIAL REVIEW

- 2 full-size physical copy and digital copy on 18” by 24” sheets with a minimum of a 1/2-inch margin of proposed plat document
- 1 physical copy of Replat Application
- 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 (if applicable)
 - TIA Fee (if applicable)
- If public notification is required, submit to the City a map of the lots in the original subdivision within 200 feet of the replat accompanied by a list of property owners of the lots from the most current tax roll
 - Refer to Chapter 10, Exhibit A, Section 1.04 of the Code of Ordinances for conditions that require public notification
- A digital copy of a Traffic Impact Analysis
 - NOT REQUIRED IF NUMBER OF LOTS DOES NOT INCREASE
- A digital copy of an Environmental Assessment
 - NOT REQUIRED IF NUMBER OF LOTS DOES NOT INCREASE
- A digital copy of Water System Study
 - NOT REQUIRED IF NUMBER OF LOTS DOES NOT INCREASE
- A digital copy of Sewer System Study
 - NOT REQUIRED IF NUMBER OF LOTS DOES NOT INCREASE
- A digital copy of Stormwater Management Plan
 - NOT REQUIRED IF IMPERVIOUS COVER WILL NOT INCREASE
- A digital copy of Variance Requests (if any)
- A digital copy of Original Tax Certificates
 - City
 - County
 - School
- A digital copy of Letter of Agent or other power of attorney authorizing signature of Owner on plat

REPLAT ESTABLISHING H.E.B. - BULVERDE RETAIL LOTS 2, 3 & 900

BEING A TOTAL OF 25.552 ACRES OUT OF A PORTION OF LOT 1 OF THE H.E.B. - BULVERDE PLAT RECORDED IN VOLUME 13, PAGE 92 OF THE MAP AND PLAT RECORDS OF COMAL COUNTY, TEXAS, INCLUSIVE OF A 0.087 ACRE RIGHT-OF-WAY DEDICATION, ESTABLISHING LOTS 2, 3 AND 900.

TxDOT NOTES:
1. FOR RESIDENTIAL DEVELOPMENT DIRECTLY ADJACENT TO STATE RIGHT-OF-WAY, THE DEVELOPER SHALL BE RESPONSIBLE FOR ADEQUATE SETBACK AND/OR SOUND ABATEMENT MEASURES FOR FUTURE NOISE MITIGATION.

2. OWNER/DEVELOPER IS RESPONSIBLE FOR PREVENTING ANY ADVERSE IMPACT TO THE EXISTING DRAINAGE SYSTEM WITHIN THE HIGHWAY RIGHT-OF-WAY.

3. MAXIMUM ACCESS POINTS TO STATE HIGHWAY FROM THIS PROPERTY WILL BE REGULATED AS DIRECTED BY TxDOT'S "ACCESS MANAGEMENT MANUAL". LOT 2 IS ELIGIBLE FOR MAXIMUM COMBINED TOTAL OF 2 (TWO) ACCESS POINTS, BASED ON AN OVERALL PLATTED HIGHWAY FRONTAGE OF APPROXIMATELY 874 FEET. THE WESTERN LOT 2 ACCESS POINT WILL BE RIGHT-IN/OUT ONLY. THE EASTERN LOT 2 ACCESS POINT WILL BE RIGHT-IN/OUT AND LEFT-IN ONLY. LOT 3 IS ELIGIBLE FOR MAXIMUM COMBINED TOTAL OF 1 (ONE) RIGHT-IN/OUT ONLY ACCESS POINT, BASED ON AN OVERALL PLATTED HIGHWAY FRONTAGE OF APPROXIMATELY 514 FEET. LOT 900 IS NOT ELIGIBLE FOR ACCESS TO SH 46, WHERE TOPOGRAPHY OR OTHER EXISTING CONDITIONS MAKE IT INAPPROPRIATE OR NOT FEASIBLE TO CONFORM TO THE CONNECTION SPACING INTERVALS, THE LOCATION OF REASONABLE ACCESS WILL BE DETERMINED WITH CONSIDERATION GIVEN TO TOPOGRAPHY, ESTABLISHED PROPERTY OWNERSHIPS, UNIQUE PHYSICAL LIMITATIONS, AND/OR PHYSICAL DESIGN CONSTRAINTS. THE SELECTED LOCATION SHOULD SERVE AS MANY PROPERTIES AND INTERESTS AS POSSIBLE TO REDUCE THE NEED FOR ADDITIONAL DIRECT ACCESS TO THE HIGHWAY. IN SELECTING LOCATIONS FOR FULL MOVEMENT INTERSECTIONS, PREFERENCE WILL BE GIVEN TO PUBLIC ROADWAYS THAT ARE ON LOCAL THOROUGHFARE PLANS.

4. IF SIDEWALKS ARE REQUIRED BY APPROPRIATE CITY ORDINANCE, A SIDEWALK PERMIT MUST BE APPROVED BY TxDOT, PRIOR TO CONSTRUCTION WITHIN STATE RIGHT-OF-WAY. LOCATIONS OF SIDEWALKS WITHIN STATE RIGHT-OF-WAY SHALL BE AS DIRECTED BY TxDOT.

5. ANY TRAFFIC CONTROL MEASURES (LEFT-TURN LANE, RIGHT-TURN LANE, SIGNAL, ETC.) FOR ANY ACCESS FRONTING A STATE MAINTAINED ROADWAY SHALL BE THE RESPONSIBILITY OF THE DEVELOPER/OWNER.

GENERAL NOTES:

- THIS PROPERTY IS NOT LOCATED WITHIN THE 100 YEAR FLOOD ZONE ACCORDING TO FEDERAL EMERGENCY MANAGEMENT AGENCY COMMUNITY PANEL 48091C0220F, DATED SEPTEMBER 2, 2009.
- THIS PROPERTY IS NOT LOCATED WITHIN THE EDWARDS AQUIFER RECHARGE ZONE.
- THIS PROPERTY IS LOCATED WITHIN THE COMAL INDEPENDENT SCHOOL DISTRICT.
- WATER AND SEWER SERVICE TO BE PROVIDED BY CLWSC.
- ELECTRIC SERVICE TO BE PROVIDED BY PEDERNALES ELECTRIC COOPERATIVE, INC.
- GAS SERVICE TO BE PROVIDED BY CPS ENERGY.
- CABLE AND TELEPHONE SERVICE TO BE PROVIDED BY GUADALUPE VALLEY TELEPHONE COOPERATIVE, INC.
- THIS PROPERTY IS LOCATED WITHIN THE CITY OF BULVERDE.

CPS/SAWS/COSA UTILITY:

- THE CITY OF SAN ANTONIO AS PART OF ITS ELECTRIC, GAS, WATER, AND WASTEWATER SYSTEMS - CITY PUBLIC SERVICE BOARD (CPS ENERGY) AND SAN ANTONIO WATER SYSTEM (SAWS) - IS HEREBY DEDICATED EASEMENTS AND RIGHTS-OF-WAY FOR UTILITY, TRANSMISSION AND DISTRIBUTION INFRASTRUCTURE AND SERVICE FACILITIES IN THE AREAS DESIGNATED ON THIS PLAT AS "ELECTRIC EASEMENT", "ANCHOR EASEMENT", "SERVICE EASEMENT", "OVERHANG EASEMENT", "UTILITY EASEMENT", "GAS EASEMENT", "TRANSFORMER EASEMENT", "WATER EASEMENT", "SANITARY SEWER EASEMENT" AND/OR "RECYCLED WATER EASEMENT" FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, RECONSTRUCTING, MAINTAINING, REMOVING, INSPECTING, PATROLLING, AND ERECTING UTILITY INFRASTRUCTURE AND SERVICE FACILITIES FOR THE REASONS DESCRIBED ABOVE. CPS ENERGY AND SAWS SHALL ALSO HAVE THE RIGHT TO RELOCATE SAID INFRASTRUCTURE AND SERVICE FACILITIES WITHIN EASEMENT AND RIGHT-OF-WAY AREAS, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER GRANTOR'S ADJACENT LANDS FOR THE PURPOSE OF ACCESSING SUCH INFRASTRUCTURE AND SERVICE FACILITIES 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 WATER, SEWER, GAS, AND/OR ELECTRIC INFRASTRUCTURE AND SERVICE FACILITIES. NO BUILDINGS, STRUCTURES, CONCRETE SLABS, OR WALLS WILL BE PLACED WITHIN EASEMENT AREAS WITHOUT AN ENCROACHMENT AGREEMENT WITH THE RESPECTIVE UTILITY.
- ANY CPS ENERGY OR SAWS MONETARY LOSS RESULTING FROM MODIFICATIONS REQUIRED OF CPS ENERGY OR SAWS INFRASTRUCTURE AND SERVICE FACILITIES, LOCATED WITHIN SAID EASEMENTS, 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 ALTERATIONS.
- THIS PLAT DOES NOT AMEND, ALTER, RELEASE OR OTHERWISE AFFECT ANY EXISTING ELECTRIC, GAS, WATER, SEWER, DRAINAGE, TELEPHONE, CABLE TV EASEMENTS OR ANY OTHER EASEMENTS FOR UTILITIES UNLESS THE CHANGES TO SUCH EASEMENTS ARE DESCRIBED HEREON.

LEGEND

- MPR MAP AND PLAT RECORDS OF COMAL COUNTY, TEXAS
- TxDOT TEXAS DEPARTMENT OF TRANSPORTATION
- OPR OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS
- (SURVEYOR)
- EXISTING CONTOURS
- CENTERLINE
- CITY OF BULVERDE LIMITS
- VOL PG PAGE(S)
- DOC NO DOCUMENT NUMBER
- ROW RIGHT-OF-WAY
- GETCTV GAS, ELECTRIC, TELEPHONE AND CABLE TELEVISION
- FOUND 1/2" IRON ROD (UNLESS NOTED OTHERWISE)
- SET 1/2" IRON ROD (PD)
- SET 1/2" IRON ROD (PD)-ROW
- IRRIGATION EASEMENT (DOC NO. 201206023638, OPR)

| LINE # | BEARING | LENGTH |
|--------|-------------|---------|
| L1 | S71°19'53"W | 15.50' |
| L2 | N71°16'49"E | 20.00' |
| L3 | S83°56'42"E | 243.15' |
| L4 | S42°07'21"E | 52.11' |
| L5 | S191°2'08"E | 105.91' |
| L6 | N89°04'08"W | 87.80' |
| L7 | N38°09'48"W | 70.21' |
| L8 | N65°45'06"E | 105.65' |
| L9 | S32°23'31"W | 16.67' |
| L10 | S54°30'31"W | 35.84' |
| L11 | S87°45'20"W | 88.20' |
| L12 | N0°09'13"W | 69.06' |
| L13 | N86°02'34"E | 115.36' |
| L14 | S16°21'11"E | 40.31' |
| L15 | N0°15'55"W | 20.99' |
| L16 | N6°34'39"E | 100.72' |
| L17 | N0°15'55"W | 66.53' |
| L18 | N47°52'14"E | 46.78' |
| L19 | S41°23'49"E | 51.44' |
| L20 | S1°41'50"W | 9.63' |
| L21 | S47°59'52"W | 47.20' |
| L22 | S63°43'08"W | 20.13' |

| LINE # | BEARING | LENGTH |
|--------|-------------|---------|
| L23 | S25°12'05"E | 57.40' |
| L24 | S6°01'36"W | 48.88' |
| L25 | S47°52'14"W | 16.10' |
| L26 | N6°01'36"E | 12.00' |
| L27 | S50°41'23"E | 61.52' |
| L28 | N74°30'21"E | 37.07' |
| L29 | N15°18'12"E | 64.07' |
| L30 | N64°53'13"E | 16.51' |
| L31 | S64°53'13"W | 7.29' |
| L32 | S15°18'12"W | 66.20' |
| L33 | S74°30'21"W | 52.23' |
| L34 | S71°22'50"W | 90.40' |
| L35 | N71°22'50"E | 80.21' |
| L36 | N83°58'24"W | 92.49' |
| L37 | N50°41'23"W | 54.64' |
| L38 | S0°07'53"E | 31.85' |
| L39 | S89°52'07"W | 191.23' |
| L40 | S46°39'04"W | 114.19' |
| L41 | N46°39'04"E | 121.62' |
| L42 | N89°52'07"E | 182.15' |
| L43 | S0°04'53"E | 11.23' |
| L44 | S87°45'20"W | 17.01' |

| CURVE # | RADIUS | DELTA | CHORD BEARING | CHORD | LENGTH |
|---------|-----------|-----------|---------------|---------|---------|
| C1 | 536.00' | 48°29'43" | S24°30'47"E | 440.25' | 453.67' |
| C2 | 15.00' | 88°32'42" | S4°29'18"E | 20.94' | 23.18' |
| C3 | 23293.78' | 0°05'52" | S82°37'17"E | 39.72' | 39.72' |
| C4 | 25085.00' | 0°03'04" | S82°41'39"E | 22.40' | 22.40' |
| C5 | 25065.00' | 0°50'48" | S83°08'40"E | 370.34' | 370.34' |
| C6 | 25065.97' | 0°05'05" | S83°36'37"E | 37.03' | 37.03' |
| C7 | 183.00' | 13°21'46" | S76°58'16"E | 42.58' | 42.68' |
| C8 | 217.00' | 13°34'27" | S77°04'36"E | 51.29' | 51.41' |
| C9 | 25076.00' | 0°04'52" | S83°54'16"E | 35.54' | 35.54' |
| C10 | 95.00' | 63°02'37" | S33°13'09"W | 99.34' | 104.53' |
| C11 | 15.00' | 91°47'01" | S85°40'38"W | 21.54' | 24.03' |
| C12 | 464.00' | 48°09'57" | N24°20'53"W | 378.68' | 390.06' |
| C13 | 536.00' | 2°08'19" | N41°56'11"W | 20.01' | 20.01' |



SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH | DALLAS
2000 NW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.9000
TPBE FIRM REGISTRATION #470 | TPPLS FIRM REGISTRATION #10028800
DATE OF PREPARATION: June 3, 2022

STATE OF TEXAS
COUNTY OF _____
THE OWNER OF LAND SHOWN ON THIS PLAT, IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, DEDICATES TO THE USE OF THE PUBLIC, EXCEPT AREAS IDENTIFIED AS PRIVATE OR PART OF AN ENCLAVE OR PLANNED UNIT DEVELOPMENT, FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

OWNER/DEVELOPER: BEN SCOTT
VICE PRESIDENT REAL ESTATE, SAFO
H-E-B LP
616 SOUTH FLORES STREET
SAN ANTONIO, TX 78204
(210) 938-0722

STATE OF TEXAS
COUNTY OF _____
BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED BEN SCOTT 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 _____
THE OWNER OF LAND SHOWN ON THIS PLAT, IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, DEDICATES TO THE USE OF THE PUBLIC, EXCEPT AREAS IDENTIFIED AS PRIVATE OR PART OF AN ENCLAVE OR PLANNED UNIT DEVELOPMENT, FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

OWNER/DEVELOPER: THOMAS HODGE
PRESIDENT
SJWTX, INC.
1399 SATTTLER RD
NEW BRAUNFELS, TX 78132

STATE OF TEXAS
COUNTY OF _____
BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED THOMAS HODGE 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

THIS REPLAT OF H-E-B BULVERDE RETAIL LOTS 2, 3 & 900 HAS BEEN SUBMITTED TO AND CONSIDERED BY THE CITY OF BULVERDE AND IS HEREBY APPROVED BY PLANNING AND ZONING COMMISSION.
DATED THIS _____ DAY OF _____, A.D. 20____.

BY: _____
PLANNING & ZONING COMMISSION CHAIR

THIS PLAT OF H-E-B BULVERDE RETAIL LOTS 2, 3 & 900 WAS FILED WITH THE CITY OF BULVERDE, TEXAS ON THE _____ DAY OF _____, 20____. THE CITY COUNCIL OF THE CITY OF BULVERDE FAILED TO ACT UPON SUCH PLAT WITHIN THE TIME PERIOD PRESCRIBED BY CHAPTER 214, TEXAS LOCAL GOVERNMENT CODE.

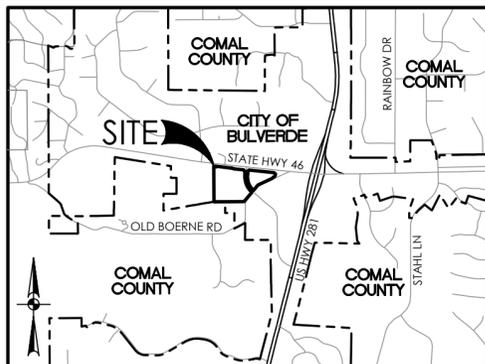
DATED THE _____ DAY OF _____, 20____.

BY: _____
PLANNING DIRECTOR

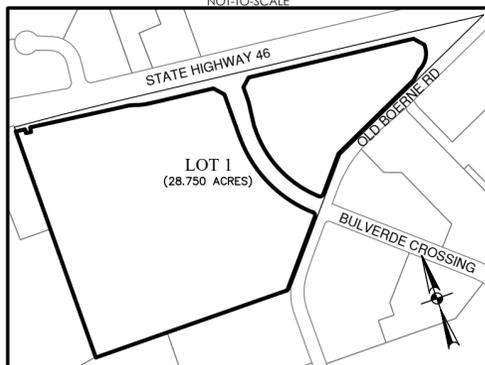
STATE OF TEXAS
COUNTY OF COMAL
I, _____, COUNTY CLERK OF COMAL COUNTY, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT WAS FILED FOR RECORD IN THE MAP AND PLAT RECORDS, DOC # _____ OF COMAL COUNTY ON THE _____ DAY OF _____, A.D. 20____, AT _____ M.

COUNTY CLERK, COMAL COUNTY, TEXAS

BY: _____, DEPUTY



LOCATION MAP
MAPSCO MAP GRID: 384A7
NOLTO-SCALE



AREA BEING REPLATTED
SCALE: 1"= 500'

25.552 ACRES BEING REPLATTED WAS PREVIOUSLY PLATTED AS LOT 1 OF THE H.E.B. - BULVERDE PLAT RECORDED IN VOLUME 13, PAGE 92 OF THE MAP AND PLAT RECORDS OF COMAL COUNTY, TEXAS.

SURVEYOR'S NOTES:

- PROPERTY CORNERS ARE MONUMENTED WITH CAP OR DISK MARKED "PAPE-DAWSON" UNLESS NOTED OTHERWISE.
- COORDINATES SHOWN ARE BASED ON THE NORTH AMERICAN DATUM OF 1983 (CORS 1996) FROM THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE DISPLAYED IN GRID VALUES DERIVED FROM THE NGS COOPERATIVE CORS NETWORK.
- DIMENSIONS SHOWN ARE SURFACE.
- BEARINGS ARE BASED ON THE NORTH AMERICAN DATUM OF 1983 (CORS 1996), FROM THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE.

STATE OF TEXAS
COUNTY OF BEXAR

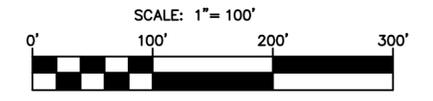
I HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN THIS PLAT TO THE MATTERS OF STREETS, LOTS AND DRAINAGE LAYOUT. TO THE BEST OF MY KNOWLEDGE THIS PLAT CONFORMS TO ALL REQUIREMENTS OF THE CODE OF ORDINANCES, EXCEPT FOR THOSE VARIANCES GRANTED BY THE CITY OF BULVERDE PLANNING COMMISSION.

SHAUNA L. WEAVER
LICENSED PROFESSIONAL ENGINEER
PAPE-DAWSON ENGINEERS, INC.
2000 NW LOOP 410
SAN ANTONIO, TX 78213

STATE OF TEXAS
COUNTY OF BEXAR

I, THE UNDERSIGNED _____, 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.

DAVID A. CASANOVA
REGISTERED PROFESSIONAL LAND SURVEYOR
PAPE-DAWSON ENGINEERS, INC.
2000 NW LOOP 410
SAN ANTONIO, TEXAS 78213



REPLAT ESTABLISHING H.E.B. - BULVERDE RETAIL LOTS 2, 3 & 900

BEING A TOTAL OF 25.552 ACRES OUT OF A PORTION OF LOT 1 OF THE H.E.B. - BULVERDE PLAT RECORDED IN VOLUME 13, PAGE 92 OF THE MAP AND PLAT RECORDS OF COMAL COUNTY, TEXAS, INCLUSIVE OF A 0.087 ACRE RIGHT-OF-WAY DEDICATION, ESTABLISHING LOTS 2, 3 AND 900.

STATE OF TEXAS
 COUNTY OF _____

THE OWNER OF LAND SHOWN ON THIS PLAT, IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, DEDICATES TO THE USE OF THE PUBLIC, EXCEPT AREAS IDENTIFIED AS PRIVATE OR PART OF AN ENCLAVE OR PLANNED UNIT DEVELOPMENT, FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

OWNER/DEVELOPER: THOMAS HODGE
 PRESIDENT
 SJWTX, INC.
 1399 SATTTLER RD
 NEW BRAUNFELS, TX 78132

STATE OF TEXAS
 COUNTY OF _____

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED THOMAS HODGE 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____.

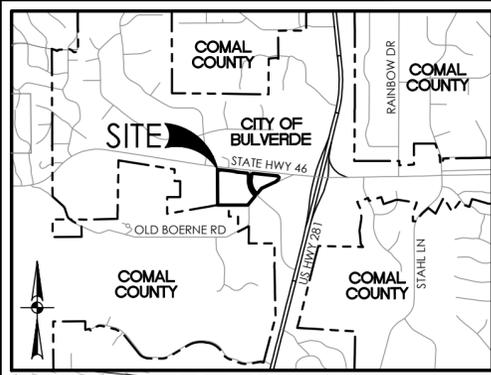
STATE OF TEXAS
 COUNTY OF _____

THE OWNER OF LAND SHOWN ON THIS PLAT, IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, DEDICATES TO THE USE OF THE PUBLIC, EXCEPT AREAS IDENTIFIED AS PRIVATE OR PART OF AN ENCLAVE OR PLANNED UNIT DEVELOPMENT, FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

OWNER/DEVELOPER: BEN SCOTT
 VICE PRESIDENT REAL ESTATE, SAFO
 H-E-B, LP
 616 SOUTH FLORES STREET
 SAN ANTONIO, TX 78204
 (210) 938-0722

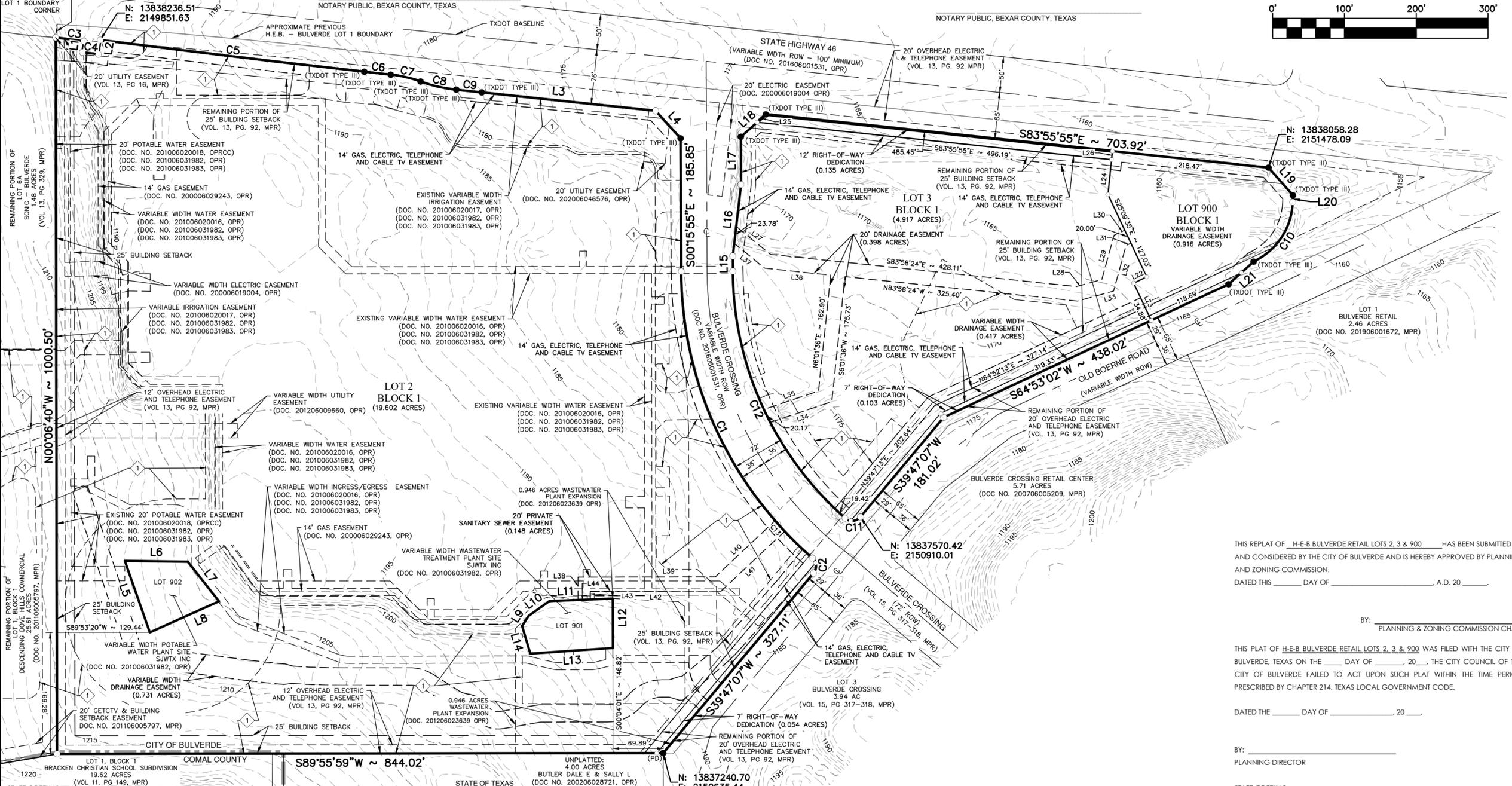
STATE OF TEXAS
 COUNTY OF _____

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED BEN SCOTT 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____.



LOCATION MAP

N05°54'42"E ±18.84 TO APPROXIMATE PREVIOUS H.E.B. - BULVERDE LOT 1 BOUNDARY CORNER
 MAPSCO MAP GRID: 384A7
 NOT-TO-SCALE



I, THE UNDERSIGNED _____, 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.

DAVID A. CASANOVA
 REGISTERED PROFESSIONAL LAND SURVEYOR
 PAPE-DAWSON ENGINEERS, INC.
 2000 NW LOOP 410
 SAN ANTONIO, TEXAS 78213

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.

SHAIJNA L. WEAVER
 LICENSED PROFESSIONAL ENGINEER
 PAPE-DAWSON ENGINEERS, INC.
 2000 NW LOOP 410
 SAN ANTONIO, TX 78213

NOTARY PUBLIC, BEXAR COUNTY, TEXAS

STATE OF TEXAS
 COUNTY OF BEXAR

UNPLATTED: 4.00 ACRES
 BUTLER DALE E & SALLY L
 (DOC NO. 200206028721, OPR)

N: 13837240.70
 E: 2150635.44

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

THIS REPLAT OF H.E.B. BULVERDE RETAIL LOTS 2, 3 & 900 HAS BEEN SUBMITTED TO AND CONSIDERED BY THE CITY OF BULVERDE AND IS HEREBY APPROVED BY PLANNING AND ZONING COMMISSION.
 DATED THIS _____ DAY OF _____, A.D. 20____.

BY: _____
 PLANNING & ZONING COMMISSION CHAIR

THIS PLAT OF H.E.B. BULVERDE RETAIL LOTS 2, 3 & 900 WAS FILED WITH THE CITY OF BULVERDE, TEXAS ON THE _____ DAY OF _____, 20____. THE CITY COUNCIL OF THE CITY OF BULVERDE FAILED TO ACT UPON SUCH PLAT WITHIN THE TIME PERIOD PRESCRIBED BY CHAPTER 214, TEXAS LOCAL GOVERNMENT CODE.

DATED THE _____ DAY OF _____, 20____.

BY: _____
 PLANNING DIRECTOR

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



REVIEW MEMORANDUM

TO: Curtis Lee, P.E.
Pape-Dawson Engineering, Inc.
2000 NW Loop 410
San Antonio, TX 78213

FROM: Chelsy Houy, PE, CFM
chouy@halff.com

SUBJECT: H.E.B. – Bulverde Retail Lots 2, 3 & 900
Replat Review #2
PC-22-18

DATE: July 1, 2022

Halff Associates, on behalf of the City of Bulverde, has performed a review on the replat application and supporting documents for the **H.E.B. – Bulverde retail Lots 2, 3 & 900** development, dated June 3, 2022. The review was conducted relative to the requirements established in the vested Subdivision Ordinance of the City of Bulverde and the Bulverde Drainage Design Manual (BDDM). The following items were reviewed, with resolved items noted in blue and unresolved/new items noted in red to be addressed by the applicant before resubmittal.

Plat specifications, Ordinance Section 1.05(b)

1. Add owner/notary blocks for SJWTX, Inc, as an owner or property within the subdivision [Sec. 1.05(b)(ii)(5)]. [6/27 – Comment resolved.](#)
2. Verify correct county where signature is taking place is used in signature blocks or use a blank “ _____ ” to fill in at the time of signature. [6/27 – Comment resolved.](#)
3. Correct Surveyor signature block with extra “I” at the very beginning. [6/27 – Comment resolved.](#)
4. Remove the “Attest” line on the Planning & Zoning signature block and add the planning director signature block using the wording below: [6/27 – Comment resolved.](#)

THIS PLAT OF _____ WAS FILED WITH THE CITY OF BULVERDE, TEXAS ON THE _____ DAY OF _____, 20___. THE CITY COUNCIL OF THE CITY OF BULVERDE FAILED TO ACT UPON SUCH PLAT WITHIN THE TIME PERIOD PRESCRIBED BY CHAPTER 214, TEXAS LOCAL GOVERNMENT CODE.

DATED THE _____ DAY OF _____, 20__

BY: _____

PLANNING DIRECTOR

5. The City’s Master Thoroughfare Plan indicates Old Boerne Road as a collector requiring 72-ft of right-of-way. Where the existing right-of-way is not sufficient, the subdivision must make a dedication to attain 36-ft of right-of-way on the north side of the centerline or a minimum of 72-ft total width. [6/27 – Comment resolved.](#)

6. A drainage easement should be provided for the open channel across the southern end of Lot 2, conveying off-site water through the subdivision [Sec. 1.05(b)(ii)(10)]. **6/27 – The provided drainage easement should be located by bearings and distances and needs to meet the requirements of Sec. 2.03(d)(iv)(1).**
7. Provide a bearing and distance dimension from a corner of the subdivision to a corner of the original tract or original survey [Sec. 1.05(b)(ii)(14)]. **6/27 – Comment resolved.**
8. Adjoining ownership information should include property acreage [Sec. 1.05(b)(ii)(21)]. **6/27 – Comment resolved.**

Plat Supporting Documents, Ordinance Section 1.04(d)

Missing Supplemental information

9. Provide Final Utility Layout showing all proposed utilities and easements [Sec. 1.04(d)(ii)(d)]. **6/27 – Comment resolved.**
10. Provide construction Cost projection for public improvements associated with the replat [Sec. 1.04(d)(ii)(f)]. **6/27 – The provided final utility plan shows a new sanitary sewer extension. Even though it is designated as a private main, it is required to make Lot 3 a legal lot and will have to be financially backed for the plat to be recorded. The cost projection is required to determine the amount of the bond or letter of credit.**
11. Provide recorded deeds [Sec. 1.04(d)(ii)(i)]. **6/27 – Comment resolved.**
12. Provide plat approval letter/notice for gas service or documentation that gas will not be provided [Sec. 1.04(d)(ii)(j)]. **6/27 – Comment resolved.**
13. Provide plat approval letter/notice for sewer service, TXDOT and TCEQ [Sec. 1.04(d)(ii)(j)]. **6/27 – Comment resolved.**
14. Performance bond or letter of credit required prior to plat recordation [Sec. 1.04(d)(ii)(k)]. **6/27 – Comment resolved.**
15. Provide verification of closure of the outer boundaries of the replat [Sec. 1.04(d)(ii)(p)]. **6/27 – Comment resolved.**

ESA Report

16. No Comments.

Tree Protection Plan

17. Variance previously approved by Council – No comments.

Drainage Analysis

18. Drainage Area delineations appear to be appropriate. However, Area C runoff is forced east by a small ditch and through a culvert under Bulverde Crossing. Need to verify 100-YR can be conveyed through this small ditch, through the culvert and be contained within the proposed drainage easement/ditch adjacent to Old Boerne Road to ensure runoff from Area C doesn't spill over into Lot 3 and Lot 900. **6/27 – Comment resolved. Response by Pape-Dawson is sufficient.**



19. Pre-Development HMS model is missing existing detention Basin A. It is assumed the existing basin was designed to mitigate runoff from the existing shopping center on Lot 2. Please include Basin A in the pre-developed model so we can compare with post-development of Lot 3. [6/27 – Comment resolved. Response by Pape-Dawson is sufficient.](#)
20. Please provide HEC-HMS model files. [6/27 – Comment resolved.](#)

Traffic Impact Analysis

TIA resubmittal will be further reviewed upon outcome of variance requests.

21. Revise references the SH 46 widening completion date to “no earlier than 2026”. Brien Hoher indicated during the scoping meeting that construction would be unlikely to be complete before '26, and may stretch out longer.
22. Include roadway network descriptions for
 - Melody Hills
 - Harmony Hills
 - St. Andrews Way
 - Elm Hollow
23. Refer to and use the latest versions of manuals and software where warranted. Examples include
 - Green Book (current is 7th Ed, 2018)
 - HCM (7th Ed just came out, but may want to refer to 6th since I don’t think Synchro has been updated to match yet).
 - Utilize Synchro 11, or provide an explanation of why 10 is still acceptable.
24. Traffic impact is identified at US 281 and St Andrews St. No mitigation is proposed. This is not acceptable under City Code. Options include (but are not limited to):
 - The Conclusions section of the TIA states *“Close the two-way crossover and build Super Street with unidirectional turnarounds. This major change to the US 281 corridor will need a comprehensive plan by TxDOT. Such major construction will not be proportionate to the impact of the development, which only adds minor traffic volumes and exceeds delay threshold by a few seconds.”* TxDOT already has a Superstreet schematic for US 281, and they have stated they are relying on developers to construct it as impact mitigation. The TIA consultant also prepared that schematic, and has proposed and designed the RCUTs in that schematic as mitigation for other developments. The

proposer could refer to this plan to determine whether components could be implemented which would provide a benefit at the impacted location. In the meantime, the proposer could request a Rough Proportionality determination from the City – the proposer simply making a statement regarding proportionality is not adequate according to City Code Section 2.04 (b) (v) 2) a).

- Note: The Draft Mobility 2050 Metropolitan Transportation Plan indicates conversion of this section of US 281 to a freeway is programmed for 2035, so an RCUT would likely serve as an interim improvement for around a decade.

- Propose other viable mitigation.
- Reduce intensity of development to keep projected delay limited to below the mitigation threshold.
- Request a variance from the City.

25. The EB approach at Bulverde Crossing and Old Boerne Road is identified as operating at LOS D in the AM Build condition. This is an impact, but no mitigation is proposed. Options include (but are not limited to):

- a. Propose a turn lane at one of the approaches.
- b. Different intersection operation (TWSC, signalization, etc.).
- c. Propose other viable mitigation.
- d. Reduce intensity of development to keep projected delay limited to below the mitigation threshold.
- e. Request a variance from the City.

26. Turn lane at SH 46 and Driveway 1: Length is based on the current posted speed of 35 mph. The design speed for proposed SH 46 is 45 mph according to the 2018 schematic. Evaluate the length based on the proposed design speed, and the May 2022 revision of the TxDOT RDM.



PLANNING AND ZONING COMMISSION ITEM:
PC-22-23

REPLAT

Replat of Lots 196 & 197
Oak Village North, Unit 2

MEETING DATE: July 14, 2022
DEPARTMENT: Planning & Development
PRESENTED BY: Susana Huerta, AICP, Planning Director

REQUEST:

Consider the approval of a Replat for Lot 196 & 197, Oak Village North, Unit 2, located at 31227 Sunlight Drive.

APPLICANT:

Steve Hunsicker
31227 Sunlight Drive
Bulverde, TX 78163

PROPERTY INFORMATION:

Owner: Steve Hunsicker
Legal Description: LOTS 196 & 197, OAK VILLAGE N UNIT 2
Size: 4 acres; 2 lots
Existing Land Use: Single-Family Residential
Existing Zoning: R-2
Proposed Land-Use: Single Family Residential

SUMMARY & ANALYSIS:

This is a proposed replat of four (4) acres, which were previously platted as Lots 196 and 197 of Oak Village North Unit 2 at the time of original approval. The purpose of this replat is to move a lot line.

Utility and drainage easements between the two original lots have been released by the appropriate utility service providers – Southwest Water Company (SWWC), Guadalupe Valley Telephone Cooperative, Inc. (GVTC), and CPS Energy.

STAFF RECOMMENDATION:

The application, plat and required documents have been reviewed by Halff Associates and City staff. Comments made during review have not been addressed.

Therefore, Staff recommends DENIAL of this Replat.

ATTACHMENTS:

Application

Plat

Plat Review Memo



APPLICATION FOR REPLAT

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: Oak Village n/orth Unit No 196 & 197
 Location Description/Nearest Intersection: North west corner of subdivision. Sunlight dr

2. Owner/Applicant: Steve Hunsicker
 Address: 31227 Sunlight Dr, Bulverde TX 78163 Email: stevehunsicker@satx.rr.com
 Telephone: 210 862 9120 Fax: _____ Mobile: 210 862 9120
Note: If applicant is person other than owner, a letter of authorization must be provided from owner.

3. Licensed Engineer/Surveyor (technical contact): Comal Hills Surveying
 Address: 3200 Puter Creek Rd, Spring Branch TX 78070 Email: CHS@gvtc.com
 Telephone: 830 228-5571 Fax: 830 885-2061 Mobile: _____

4. Property Details:

| | | | | |
|-----------------------------------|---|--|-----------------------|---|
| City Limits: | <input checked="" type="checkbox"/> In | <input type="checkbox"/> Out (ETJ) | Water Source: | <u>Southwest Water</u> |
| Commercial: | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | Sewage Treatment: | <u>Septic</u> |
| Residential: | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | TxDOT Frontage: | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| No. of Lots: | <u>2</u> | | 100-Year Floodplain: | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| Total Acreage without floodplain: | <u>4</u> | | Edwards Aquifer Zone: | <u>NO</u> Recharge |
| Density Class: | _____ | | | <input type="checkbox"/> Contributing |
| Zoning Class: | _____ | | | |

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.

 Signature of Owner/Applicant 5/5/2022

 Date

Fees and Submittal Dates on Page 2

Fees:

Replats/Vacating Plats

- \$750.00 + \$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

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 Tier 2 Commercial/Industrial/Multi-Family

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

SUBMITTAL DATES: NOVEMBER 2021 – DECEMBER 2022

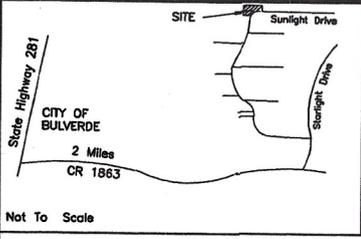
| Planning & Zoning Meeting | City Council Meeting | Submittal Date |
|--------------------------------------|-----------------------------|---------------------------|
| NOVEMBER 10, 2021 | DECEMBER 14, 2021 | OCTOBER 12, 2021 |
| DECEMBER 9, 2021 | JANUARY 11, 2022 | NOVEMBER 9, 2021 |
| JANUARY 13, 2022 | FEBRUARY 8, 2022 | DECEMBER 14, 2021 |
| FEBRUARY 10, 2022 | MARCH 8, 2022 | JANUARY 11, 2022 |
| MARCH 10, 2022 | APRIL 12, 2022 | FEBRUARY 8, 2022 |
| APRIL 14, 2022 | MAY 10, 2022 | MARCH 15, 2022 |
| MAY 12, 2022 | JUNE 14, 2022 | APRIL 12, 2022 |
| JUNE 9, 2022 | JULY 12, 2022 | MAY 10, 2022 |
| JULY 14, 2022 | AUGUST 9, 2022 | JUNE 14, 2022 |
| AUGUST 11, 2022 | SEPTEMBER 13, 2022 | JULY 19, 2022 |
| SEPTEMBER 8, 2022 | OCTOBER 11, 2022 | AUGUST 9, 2022 |
| OCTOBER 13, 2022 | NOVEMBER 8, 2022 | SEPTEMBER 13, 2022 |
| NOVEMBER 10, 2022 | DECEMBER 13, 2022 | OCTOBER 11, 2022 |
| DECEMBER 8, 2022 | JANUARY 10, 2023 | NOVEMBER 8, 2022 |



Planning and Development Replat Application Checklist

**ALL SUBMITTALS MUST FOLLOW THE FOLLOWING REQUIREMENTS TO BE
ACCEPTED BY THE CITY OF BULVERDE FOR INITIAL REVIEW**

- 2 full-size physical copy and digital copy on 18” by 24” sheets with a minimum of a 1/2-inch margin of proposed plat document
- 1 physical copy of Replat Application
- 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 (if applicable)
 - TIA Fee (if applicable)
- If public notification is required, submit to the City a map of the lots in the original subdivision within 200 feet of the replat accompanied by a list of property owners of the lots from the most current tax roll
 - Refer to Chapter 10, Exhibit A, Section 1.04 of the Code of Ordinances for conditions that require public notification
- A digital copy of a Traffic Impact Analysis
 - NOT REQUIRED IF NUMBER OF LOTS DOES NOT INCREASE
- A digital copy of an Environmental Assessment
 - NOT REQUIRED IF NUMBER OF LOTS DOES NOT INCREASE
- A digital copy of Water System Study
 - NOT REQUIRED IF NUMBER OF LOTS DOES NOT INCREASE
- A digital copy of Sewer System Study
 - NOT REQUIRED IF NUMBER OF LOTS DOES NOT INCREASE
- A digital copy of Stormwater Management Plan
 - NOT REQUIRED IF IMPERVIOUS COVER WILL NOT INCREASE
- A digital copy of Variance Requests (if any)
- A digital copy of Original Tax Certificates
 - City
 - County
 - School
- A digital copy of Letter of Agent or other power of attorney authorizing signature of Owner on plat



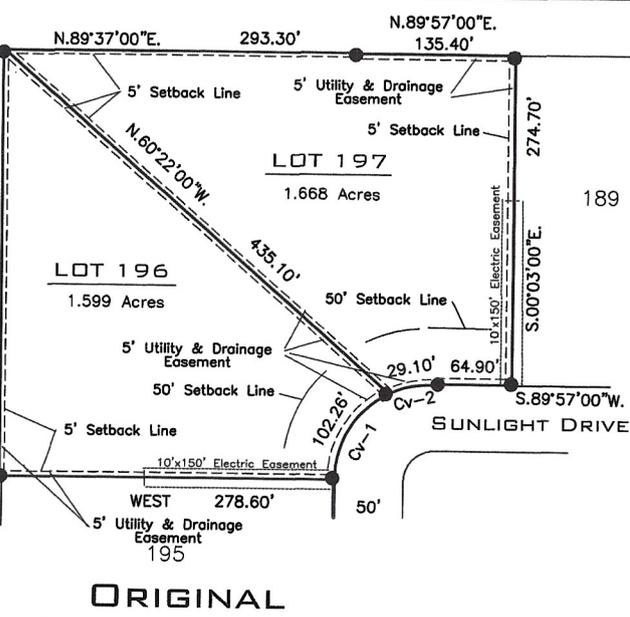
VICINITY MAP

- NOTES:
1. PLAT PREPARATION DATE: MARCH 5, 2022
 2. THIS PROPERTY FALLS WITHIN THE EXTRATERRITORIAL JURISDICTION OF BULVERDE, TEXAS
 3. THIS PROPERTY WILL BE SERVED BY A STATE CERTIFIED PUBLIC WATER SUPPLY SYSTEM
 4. THIS PROPERTY WILL BE SERVED BY INDIVIDUAL ON-SITE SEWAGE FACILITIES
 5. THIS PROPERTY DOES NOT LIE WITHIN THE EDWARDS AQUIFER RECHARGE ZONE
 6. THIS PROPERTY DOES NOT LIE WITHIN A SPECIAL FLOOD HAZARD AREA.
 7. THIS PROPERTY DOES NOT LIE WITHIN A SPECIAL FLOOD HAZARD AREA.
 8. PROPERTY OWNERS ARE ADVISED THAT THEY ARE RESPONSIBLE FOR MAINTENANCE OF DEDICATED EASEMENTS ON THEIR PROPERTY AND MAY NOT UTILIZE THESE EASEMENTS FOR ANY PURPOSE DETRIMENTAL TO THEIR INTENDED USE (I.E., NO STRUCTURES, SEPTIC TANK FIELDS, ETC.) GRANTEEES OF SAID DEDICATED EASEMENTS RESERVE THE RIGHT OF ACCESS TO SUCH EASEMENTS.
 9. THERE IS HEREBY DEDICATED A FIVE (5) FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT ADJACENT TO ALL LOT LINES
 10. THERE ARE NO LIENHOLDERS
 11. LOT 196R = 1.713 ACRES, LOT 197R = 1.554 ACRES
 12. REFERENCE BEARING FROM SUBDIVISION PLAT RECORDED IN VOLUME 3, PAGE 22, MAP AND PLAT RECORDS OF COMAL COUNTY, TEXAS
 13. RESERVATIONS, RESTRICTIONS, COVENANTS AND EASEMENTS ARE RECORDED IN VOLUME 343, PAGE 44, DEED RECORDS OF COMAL COUNTY, TEXAS, AND IN DOCUMENT NO.S 199500466588, 199706001719, 200506019198 AND 2010080008845, OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF COMAL

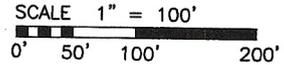
KNOW ALL MEN BY THESE PRESENTS:
STEVEN R. HUNSICKER THE OWNER OF THE LAND SHOWN ON THIS PLAT AND WHOSE NAMES ARE SUBSCRIBED HERETO AND IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER ALL STREETS, PARKS, WATER COURSES, DRAINS, EASEMENTS, AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

STEVEN R. HUNSICKER



ORIGINAL

LOTS 196 & 197,
OAK VILLAGE NORTH, UNIT 2,
RECORDED IN VOLUME 2, PAGE 22,
MAP AND PLAT RECORDS OF COMAL
COUNTY, TEXAS



STATE OF TEXAS
COUNTY OF COMAL

I HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND. ALL NECESSARY MONUMENTS WERE ACCURATELY AND CORRECTLY SET.

BILL J. LOFTIS
RPLS NO. 5823

NOTARY PUBLIC, STATE OF TEXAS

PRINT NOTARY'S NAME

THIS PLAT OF VACATE AND REPLAT OF LOTS 196 & 197, OAK VILLAGE NORTH, UNIT 2, ESTABLISHING LOTS 196R AND 197R, OAK VILLAGE NORTH, UNIT 2, TO THE CITY OF BULVERDE, TEXAS HAS BEEN SUBMITTED TO AND CONSIDERED BY THE COMMISSIONERS' COURT OF COMAL COUNTY, TEXAS AND IS HEREBY APPROVED FOR FILING BY SAID COURT ON _____, 2022

DATED THIS _____ DAY OF _____, 2022

BY: _____
COMAL COUNTY JUDGE

Attest:
COUNTY CLERK-DUPUTY

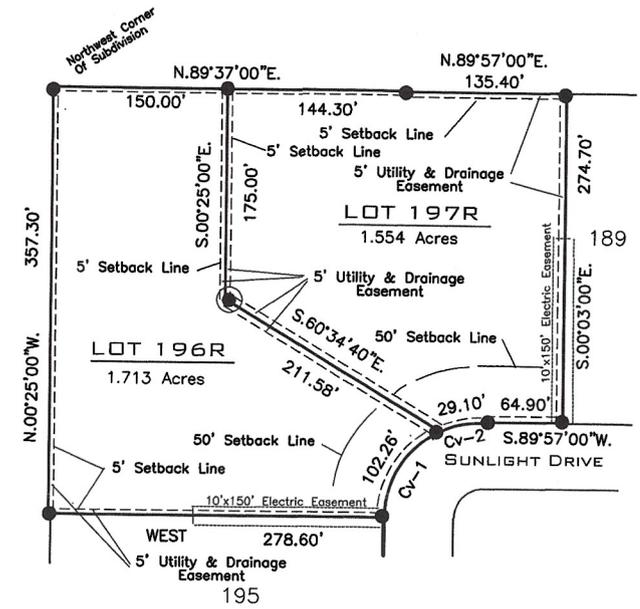
STATE OF TEXAS
COUNTY OF COMAL

I, _____, COUNTY CLERK OF COMAL COUNTY DO HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN MY OFFICE ON THE _____ DAY OF _____, A.D. 2022. AT _____ M. AND DULY RECORDED THE _____ DAY OF _____, A.D., 2022, AT _____ M. IN THE RECORDS OF MAPS AND PLATS IN SAID OFFICE, OF SAID COUNTY, IN DOCUMENT # _____

IN TESTIMONY WHEREOF WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS _____ DAY OF _____, A.D., 2022.

COUNTY CLERK
COMAL COUNTY, TEXAS

BY: _____
DEPUTY



REPLAT

ESTABLISHING,
LOTS 196R & 197R,
OAK VILLAGE NORTH, UNIT 2,
COMAL COUNTY, TEXAS

Cv-2
Radius = 85.00'
Delta = 19°37'00"
Chord = S.79°33'04"W,
28.96'

Cv-1
Radius = 85.00'
Delta = 68°55'38"
Chord = S.34°24'34"W,
96.28'

ORIGINAL AND REPLAT

OF
LOT 196 & 197,
OAK VILLAGE NORTH, UNIT 2,
ESTABLISHING LOTS 196R & 197R,
OAK VILLAGE NORTH, UNIT 2,
CITY OF BULVERDE, TEXAS
COMAL COUNTY, TEXAS

APRIL 5, 2022

Comal Hills Surveying
3200 Pater Creek Road
Spring Branch, Texas
78070
(830) 228-5571
Fax (830) 885-2061
chs@grtc.com

CHK: Bill Loftis
DWN: Bill Loftis
Job # 220405-1
DATE: 4-5-2022

SHEET 1
OF 1

REVIEW MEMORANDUM

TO: Steve Hunsicker
31227 Sunlight Drive
Bulverde, Texas 78163

FROM: Chelsy Houy, PE, CFM
chouy@half.com

SUBJECT: Vacate and Replat of Lots 196 & 197,
Oak Village North, Unit 2
PC-22-23

DATE: June 27, 2022

Half Associates and City Staff performed a review on the **Vacate and Replat of Lots 196 & 197, Oak Village North, Unit 2**, received 06/14/2022. The review was conducted relative to the requirements established in the Subdivision Ordinance of the City of Bulverde and the Bulverde Drainage Design Manual (BDDM). The following items were reviewed, with specific items to be addressed by the applicant before resubmittal.

Plat specifications, Ordinance Section 1.05(b)

1. Note 2 incorrectly states that the property is located in the ETJ. Please revise to reflect that it is located in the City of Bulverde.
2. Note 10 states that there are no lienholders. Please provide deeds/documentation confirming this.
3. Revise notary block to reflect same spelling of "Steven R. Hunsicker" as noted in the owner's certification.
4. Clarify the title of the subdivision document. "Original and Replat" is appears to be the designated text, but it should be more specific to this document (ex: Vacate and Replat of Lots 196 & 197, Oak Village North, Unit 2)
5. Legal description below the plat title shall include reference to the original survey of which it is a part, the acreage of the plat, the acreage of the original tract and the deed references of the original tract [Sec. 1.05(b)(ii)(2)].
6. Verify scale of plat document provided. The PDF provided is legal size, and not the 18"x24" required, which may be why the scale/dimensions are not accurate [Sec. 1.05(b)(i) & Sec. 1.05(b)(ii)(3)].
7. The owner's address is required per Sec. 1.05(b)(ii)(6).
8. Provide adjoining information to the proposed plat. Adjoining ownership information shall be shown on the plat drawing that includes: owner name, acreage and deed record information.
9. Setback lines should be shown in accordance with current zoning [Sec. 1.05(b)(ii)(11)], which for Oak Village north is:
 - The relaxation of setback requirements shall only apply in the R-1, R-2, and R-3 districts. For the Bulverde Ranchettes, Oakland Estates and Oak Village North subdivisions, the front setback shall be 25 feet, the side setback shall be six feet, and the rear setback shall be 10 feet. (Ordinance 667 adopted 10/12/21)
10. A minimum of two corners of the subdivision shall be referenced to State Plane Grid Coordinates [Sec. 1.05(b)(ii)(15)].



Half Associates, Inc.
 100 NE Loop 410, Suite 200
 San Antonio, Texas 78216
 (210) 798-1895
 Fax (210) 798-1896

10. Contour lines missing from plat [Sec. 1.05(b)(ii)(17)]. Include note referencing vertical datum of elevation information [Sec. 1.05(b)(ii)(18)].
11. Show width of Sunlight Drive adjacent to the subdivision, as well as any other lots, easements, or other important features adjacent to the subdivision. Use greyscale dashed lines to indicate features not within the boundary of the subdivision [Sec. 1.05(b)(ii)(20)].
12. Ownership information, including owner name, acreage and deed information, shall be shown for all property adjoining the proposed subdivision [Sec. 1.05(b)(ii)(21)].
13. Indicate the title as "Vacate and Replat of Lots 196 & 197 of Oak Village North, Unit 2" [Sec. 1.05(b)(ii)(23)].
14. Provide a slope map and any applicable easements as required by Section 1.05(b)(ii)(24) and Section 4.04.
15. Remove the county judge signature block shown and add Planning & Zoning and Planning Director blocks as stated below with the title of the plat document filled in and underlined.

THIS PLAT OF _____ 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 THE _____ DAY OF _____, 20__

BY: _____

CHAIRPERSON

THIS PLAT OF _____ WAS FILED WITH THE CITY OF BULVERDE, TEXAS ON THE _____ DAY OF _____, 20__. THE CITY COUNCIL OF THE CITY OF BULVERDE FAILED TO ACT UPON SUCH PLAT WITHIN THE TIME PERIOD PRESCRIBED BY CHAPTER 214, TEXAS LOCAL GOVERNMENT CODE.

DATED THE _____ DAY OF _____, 20__

BY: _____

PLANNING DIRECTOR

Plat Supporting Documents, Ordinance Section 1.04

16. Missing the recorded deeds for the subject properties [Sec. 1.04(d)(ii)(i)].
17. Boundary closure documentation missing [Sec. 1.04(d)(ii)(p)].



PLANNING AND ZONING COMMISSION ITEM:
PC-22-24

REPLAT

Replat of Lots 119 and 120
Belle Oaks Ranch Phase IV

MEETING DATE: July 14, 2022
DEPARTMENT: Planning & Development
PRESENTED BY: Susana Huerta, AICP, Planning Director

REQUEST:

Consider the approval of a Replat for Lot 119 and Lot 120, Block 10, Belle Oaks Ranch Phase IV, generally located near the intersection of Blanco Road and State Highway 46.

APPLICANT:

Lee L. & Melinda P. Johnson
PO Box 1548
Sonora, TX 76950

PROPERTY INFORMATION:

Owner: Lee L. & Melinda P. Johnson
Legal Description: Lot 119 & 120, Block 10, Belle Oaks Ranch, Phase IV
Size: 2.15 acres; 2 lots
Existing Land Use: Undeveloped
Existing Zoning: R-2
Proposed Land-Use: Single Family Residential

SUMMARY & ANALYSIS:

This is a proposed replat of 2.15 acres, which was previously platted as Lot 119 and Lot 120, Block 10, Belle Oaks Ranch Phase IV at the time of original approval. The purpose of this replat is to combine Lots 119 and 120, creating Lot 120R.

Utility and drainage easements between the two original lots have been released by the appropriate utility service providers – Canyon Lake Water Service Company (CLWSC), Guadalupe Valley Telephone Cooperative (GVTC) and Pedernales Electric Cooperative (PEC).

STAFF RECOMMENDATION:

The application, plat and required documents have been reviewed by Halff Associates and City staff. All comments made during review were addressed.

Therefore, Staff recommends APPROVAL of this Replat.

ATTACHMENTS:

Application

Plat

Plat Review Memo



APPLICATION FOR REPLAT

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: BELLE OAKS RANCH Unit No IV
 Location Description/Nearest Intersection: LOT 119 & 120, BLOCK 10, BELLE OAKS RANCH, PHASE IV

2. Owner/Applicant: LEE L. & MELINDA P. JOHNSON
 Address: P.O. BOX 1548, SONORA, TX 76950 Email: LLJOHN897@GMAIL.COM
 Telephone: (713) 823-2055 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): KYLE PRESSLER
 Address: 8 SPENCER ROAD, BOERNE, TX 78006 Email: KYLE.PRESSLER@MATKINHOVER.COM
 Telephone: (830) 249-0600 Fax: _____ Mobile: _____

4. Property Details:

| | | | | |
|-----------------------------------|--|--|-----------------------|---|
| City Limits: | <input checked="" type="checkbox"/> In | <input type="checkbox"/> Out (ETJ) | Water Source: | <u>CLWSC</u> |
| Commercial: | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | Sewage Treatment: | <u>OSSF</u> |
| Residential: | <input type="checkbox"/> Yes | <input type="checkbox"/> No | TxDOT Frontage: | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| No. of Lots: | <u>2</u> | | 100-Year Floodplain: | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| Total Acreage without floodplain: | _____ | | Edwards Aquifer Zone: | <input type="checkbox"/> Recharge |
| Density Class: | _____ | | | <input checked="" type="checkbox"/> Contributing |
| Zoning Class: | _____ | | | |

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.



 Signature of Owner/Applicant

May 27, 2022

 Date

Fees and Submittal Dates on Page 2

Fees:

Replats/Vacating Plats

- \$750.00 + \$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

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 Tier 2 Commercial/Industrial/Multi-Family

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

SUBMITTAL DATES: NOVEMBER 2021 – DECEMBER 2022

| Planning & Zoning Meeting | City Council Meeting | Submittal Date |
|--------------------------------------|-----------------------------|---------------------------|
| NOVEMBER 10, 2021 | DECEMBER 14, 2021 | OCTOBER 12, 2021 |
| DECEMBER 9, 2021 | JANUARY 11, 2022 | NOVEMBER 9, 2021 |
| JANUARY 13, 2022 | FEBRUARY 8, 2022 | DECEMBER 14, 2021 |
| FEBRUARY 10, 2022 | MARCH 8, 2022 | JANUARY 11, 2022 |
| MARCH 10, 2022 | APRIL 12, 2022 | FEBRUARY 8, 2022 |
| APRIL 14, 2022 | MAY 10, 2022 | MARCH 15, 2022 |
| MAY 12, 2022 | JUNE 14, 2022 | APRIL 12, 2022 |
| JUNE 9, 2022 | JULY 12, 2022 | MAY 10, 2022 |
| JULY 14, 2022 | AUGUST 9, 2022 | JUNE 14, 2022 |
| AUGUST 11, 2022 | SEPTEMBER 13, 2022 | JULY 19, 2022 |
| SEPTEMBER 8, 2022 | OCTOBER 11, 2022 | AUGUST 9, 2022 |
| OCTOBER 13, 2022 | NOVEMBER 8, 2022 | SEPTEMBER 13, 2022 |
| NOVEMBER 10, 2022 | DECEMBER 13, 2022 | OCTOBER 11, 2022 |
| DECEMBER 8, 2022 | JANUARY 10, 2023 | NOVEMBER 8, 2022 |



Planning and Development Replat Application Checklist

**ALL SUBMITTALS MUST FOLLOW THE FOLLOWING REQUIREMENTS TO BE
ACCEPTED BY THE CITY OF BULVERDE FOR INITIAL REVIEW**

- 2 Copies of the Proposed Plat Document
- 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 (if applicable)
 - TIA Fee (if applicable)
- If public notification is required, submit to the City a map of the lots in the original subdivision within 200 feet of the replat accompanied by a list of property owners of the lots from the most current tax roll
 - Refer to Chapter 10, Exhibit A, Section 1.04 of the Code of Ordinances for conditions that require public notification
- 1 copy of a Traffic Impact Analysis
 - NOT REQUIRED IF NUMBER OF LOTS DOES NOT INCREASE
- 1 copy of an Environmental Assessment
 - NOT REQUIRED IF NUMBER OF LOTS DOES NOT INCREASE
- 1 copy of Water System Study
 - NOT REQUIRED IF NUMBER OF LOTS DOES NOT INCREASE
- 1 copy of Sewer System Study
 - NOT REQUIRED IF NUMBER OF LOTS DOES NOT INCREASE
- 1 copy of Stormwater Management Plan
 - NOT REQUIRED IF IMPERVIOUS COVER WILL NOT INCREASE
- Variance Requests (if any)
- Original Tax Certificates
 - City
 - County
 - School
- 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.
- 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
- Lienholder's acknowledgement (if applicable)

NOTES:

- 1. ACREAGE OF SUBDIVISION = 102.27 ACRES. THE OVERALL DENSITY OF LOTS IN THIS SUBDIVISION IS 1.66 AC/LOT.
2. NO LOTS IN PHASE IV ARE ENCRoACHED BY SPECIAL FLOOD HAZARD AREAS INUNDAED BY 100 YEAR FLOOD AS IDENTIFIED BY THE U.S. FEDERAL EMERGENCY MANAGEMENT AGENCY BOUNDARY MAP...
3. WATER SERVICE FOR THIS SUBDIVISION WILL BE PROVIDED BY CANYON LAKE WATER SERVICE COMPANY (CLWSC).
4. SEWER SERVICE FOR THIS SUBDIVISION WILL BE PROVIDED BY ONSITE SEWAGE FACILITIES.
5. ELECTRIC SERVICE PROVIDED BY PEDERNALES ELECTRIC COOPERATIVE.
6. COMMUNICATIONS SERVICE WILL BE PROVIDED BY GUADALUPE VALLEY TELEPHONE COOPERATIVE
7. POSTAL SERVICE WILL BE PROVIDED BY CLUSTER BOXES WITH IN THE SUBDIVISION.
8. UNLESS OTHERWISE NOTED, ALL CORNERS, ANGLES AND POINTS OF CURVATURE ARE MARKED WITH 1/2" IRON RODS WITH MATKIN/HOOVER CAP.
9. BEARINGS ARE BASED ON THE STATE PLANE COORDINATE SYSTEM ESTABLISHED FOR THE TEXAS SOUTH CENTRAL ZONE 4204, NORTH AMERICAN DATUM (NAD) OF 1983, SURFACE ADJUSTMENT FACTOR 1.00013. DISTANCES SHOWN HEREON ARE GRID UNITS. VERTICAL DATUM IS BASED ON NAVD83.
10. THIS SUBDIVISION LIES WITHIN THE EDWARDS AQUIFER CONTRIBUTING ZONE. NO CONSTRUCTION IN THE SUBDIVISION MAY BEGIN UNTIL THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ) HAS APPROVED THE CONTRIBUTION ZONE PLAN (CZP) IN WRITING.
11. UNLESS SHOWN OTHERWISE A TWENTY (20) FOOT PUBLIC UTILITY EMBANKMENT/BACKSLOPE AND DRAINAGE EASEMENT (P.U.D.E.B.E.) IS HEREBY DEDICATED ALONG THE FRONT PROPERTY LINE OF ALL LOTS IN THIS SUBDIVISION IN ADDITION TO THOSE UTILITY AND DRAINAGE EASEMENTS SHOWN ON THE PLAT. THERE IS ALSO HEREBY DEDICATED A FIVE (5) FOOT WIDE UTILITY AND DRAINAGE EASEMENT ADJACENT TO ALL NON-ROADWAY LOT LINES UNLESS OTHERWISE NOTED ON THE PLAT. IF TWO OR MORE LOTS ARE COMBINED AS A SINGLE HOME SITE, THIS EASEMENT SHALL BE RELINQUISHED ALONG THE COMMON LINE OR LINES OF THE COMBINED LOTS SO LONG AS NO UTILITY LINES OR DRAINAGE IMPROVEMENTS ARE LOCATED THEREIN.
12. ALL PUBLIC UTILITY EASEMENTS ARE FOR UTILITY IMPROVEMENTS, INCLUDING BUT NOT LIMITED TO ELECTRIC, GAS, TELEPHONE, AND/OR CATV LINES AND APPURTENANCES.
13. GRANTOR HEREBY DEDICATES TO THE PUBLIC UTILITY EASEMENT AND/OR UTILITY RIGHT-OF-WAY ON THIS PLAT FOR UTILITY PURPOSES.
14. NO STRUCTURE, FENCES, WALLS, OR OTHER OBSTRUCTIONS OF ANY KIND SHALL BE PLACED WITHIN THE LIMITS OF THE DRAINAGE EASEMENTS SHOWN ON THIS PLAT. LANDSCAPING, FENCES, OR OTHER TYPES OF MODIFICATIONS WHICH ALTER THE CROSS-SECTIONS OF THE DRAINAGE EASEMENTS OR DECREASE THE HYDRAULIC CAPACITY OF THE EASEMENT SHALL NOT BE ALLOWED WITHOUT THE APPROVAL OF THE CITY ENGINEER.
15. PROPERTY OWNERS ARE ADVISED THAT THEY ARE RESPONSIBLE FOR MAINTENANCE OF DEDICATED EASEMENTS ON THEIR PROPERTY AND MAY NOT UTILIZE THESE EASEMENTS FOR ANY PURPOSE DETRIMENTAL TO THEIR INTENDED USE (I.E. NO STRUCTURES, SEPTIC TANKS FIELDS, ETC.) GRANTEES OF SAID DEDICATED EASEMENTS RESERVE THE RIGHT OF ACCESS TO SUCH EASEMENTS.
16. A DEVELOPMENT AGREEMENT FOR BELLE OAKS RANCH WAS EXECUTED ON JANUARY 9TH, 2018 AND RECORDED AS DOCUMENT NO. 201809001658 IN THE OFFICIAL PUBLIC RECORDS OF COMAL COUNTY. THE DEVELOPMENT IS SUBJECT TO THE CITY OF BULVERDE ORDINANCE IN EFFECT AT THE TIME OF THE DEVELOPMENT AGREEMENT EXECUTION. AN AMENDMENT TO THIS DEVELOPMENT WAS APPROVED BY CITY COUNCIL ON MAY 12, 2020 AND THE SIDE BUILDING SET BACKS SHOWN ON THIS PLAT ARE IN COMPLIANCE WITH THIS AMENDED DEVELOPMENT AGREEMENT.
17. IT IS HEREBY UNDERSTOOD AND AGREED THAT NON-EXCLUSIVE, PERPETUAL EASEMENTS ARE RESERVED FOR THE INSTALLATION AND MAINTENANCE OF PUBLIC UTILITIES AND ALL NECESSARY APPURTENANCES. WHETHER THESE IMPROVEMENTS ARE INSTALLED UNDERGROUND, OVERHEAD, AND/OR ON THE SURFACE OF THE GROUND WITHIN THE PUBLIC UTILITY EASEMENTS DEDICATED ON THIS PLAT, NOTHING SHALL BE PLACED OR PERMITTED TO REMAIN IN A PUBLIC UTILITY EASEMENT AREA WHICH MAY DAMAGE OR INTERFERE WITH THE INSTALLATION AND MAINTENANCE OF SAID PUBLIC UTILITIES. THE PUBLIC UTILITY EASEMENT AREA OF EACH LOT AND ALL IMPROVEMENTS WITHIN IT SHALL BE MAINTAINED BY THE OWNER OF THE LOT. EXCEPT FOR THOSE FACILITIES FOR WHICH AN AUTHORITY OR PUBLIC UTILITY PURVEYOR IS RESPONSIBLE. PUBLIC UTILITY PURVEYORS AND THEIR EMPLOYEES SHALL HAVE ALL OF THE RIGHTS AND BENEFITS NECESSARY FOR THE FULL ENJOYMENT OF THE RIGHTS HEREIN GRANTED, INCLUDING BUT NOT LIMITED TO INGRESS AND EGRESS FROM PRIVATE ROADS AND EASEMENTS, AND THE RIGHT FROM TIME TO TIME TO CUT ANY AND ALL TREES, UNDERGROWTH AND OTHER OBSTRUCTIONS THAT MAY CAUSE INTERFERENCE WITH THE OPERATION OF SAID PUBLIC UTILITY FACILITIES.
18. THE CITY OF BULVERDE SHALL NOT BE RESPONSIBLE FOR MAINTENANCE OF PRIVATE STREETS, DRIVES, RECREATION AREAS AND OPEN SPACES; THE SUBDIVISION PROPERTY OWNERS ASSOCIATION SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF PRIVATE STREETS, ROADS, DRIVES, RECREATION AREAS AND OPEN SPACES, AND SAID OWNERS AGREE TO INDEMNIFY AND SAVE HARMLESS THE CITY OF BULVERDE, FROM ALL CLAIMS, DAMAGES AND LOSSES ARISING OUT OF OR RESULTING FROM PERFORMANCE OF THE OBLIGATIONS OF SAID OWNERS SET FORTH IN THIS NOTE.
19. A PERPETUAL PUBLIC SAFETY AND PUBLIC SERVICE EASEMENT WITHIN THE PRIVATE ROADS FOR THE PURPOSE OF PROVIDING PUBLIC SAFETY SERVICES, POLICE, FIRE AND MEDICAL SERVICES, UTILITY METER READING, CODE ENFORCEMENT, BUILDING INSPECTIONS, SOLID WASTE COLLECTION, PUBLIC SCHOOL, TRANSPORTATION, ANY OTHER PUBLIC SERVICES AND ENFORCING THE CITY ORDINANCES; AND GIVING THE CITY AND ITS AUTHORIZED OFFICERS AND DESIGNEES UNINHIBITED INGRESS AND EGRESS OVER, ACROSS AND THROUGH SUCH PRIVATE DRIVES, STREETS, ROADWAYS, AND RIGHTS-OF-WAY FOR THE PURPOSE OF PROVIDING PUBLIC SAFETY SERVICES, POLICE, FIRE AND MEDICAL SERVICES, AND ENFORCING THE PENAL CODE AND CITY ORDINANCES. THE POA SHALL MAINTAIN AT ALL TIMES WITH THE CITY SECRETARY THE CURRENT GATE CODE OR KEY FOR ALL GATES REGULATING ACCESS TO AND FROM THE SUBDIVISION.
20. A DRIVEWAY CULVERT IS REQUIRED FOR ALL DRIVEWAYS WHERE DRAINAGE CONVEYANCE ACROSS THE DRIVEWAY IS REQUIRED.
21. IN ORDER TO PROMOTE DRAINAGE AWAY FROM A STRUCTURE, THE SLAB ELEVATION SHOULD BE BUILT AT LEAST ONE FOOT HIGHER THAN THE HIGHEST SPOT ELEVATION THAT IS LOCATED WITHIN FIVE FEET OUTSIDE THE PERIMETER OF THE BUILDING, OR MINIMUM FINISHED FLOOR ELEVATION, WHICHEVER IS HIGHER, AND THE GROUND SHOULD BE GRADED AWAY FROM THE STRUCTURE AT A SLOPE OF 1/2" PER FOOT FOR A DISTANCE OF AT LEAST 10 FEET. LOT DEVELOPMENT ADJACENT TO ANY STORMWATER CONVEYANCE AREA MUST ENSURE CONSTRUCTION ACCOMMODATES DRAINAGE CONVEYANCE. HOMEOWNERS SHALL NOT ALTER THE NATURAL DRAINAGE PATTERNS ON ADJACENT PROPERTIES. DRIVEWAYS SERVING HOUSES ON THE DOWNHILL SIDE OF THE STREET SHALL HAVE PROPERLY SIZED CROSS SWALE PREVENTING RUNOFF FROM ENTERING THE STRUCTURE.
22. DRIVEWAYS SHALL TAKE ACCESS OFF OF INTERNALLY PLATTED ROADS.
23. DUE TO FUTURE POTENTIAL WATER SYSTEM MODIFICATIONS, ALL LOTS WITHIN THIS DEVELOPMENT SHALL INSTALL AN INDIVIDUAL PRESSURE REDUCING VALVE ON THE CUSTOMER SIDE OF THE METER. THE INDIVIDUAL PRESSURE REDUCING VALVES SHALL BE OWNED AND MAINTAINED BY THE INDIVIDUAL LOT OWNER.
24. BELLE OAKS RANCH PHASE IV DRAINAGE DESIGN WAS BASED ON AN AVERAGE IMPERVIOUS COVER OF 10,000 SF PER LOT. ALL LOTS THAT CONSTRUCT MORE THAN 10,000 SF MAY BE SUBJECT TO ADDITIONAL DRAINAGE ANALYSIS AND DETENTION REQUIREMENTS. IF TWO OR MORE LOTS ARE COMBINED AS A SINGLE HOME SITE, THE IMPERVIOUS COVER PERMITTED INCREASES BY 10,000 SF FOR EACH LOT COMBINED.

PEDERNALES ELECTRIC NOTES:

- 1. ANY PEC MONETARY LOSS RESULTING FROM MODIFICATIONS REQUIRED OF PEC 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.
2. PEDERNALES ELECTRIC COOPERATIVE, INC. (PEC) AS PART OF ITS ELECTRIC SYSTEM ARE 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, HANGING OR BURYING WIRES, CABLES, CONDUITS, PIPELINES OR TRANSFORMERS, EACH WITH ITS NECESSARY APPURTENANCES TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER GRANTOR'S ADJACENT LAND, THE RIGHT-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.
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: NONE.
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 FIVE (5) FOOT WIDE ELECTRIC AND GAS EASEMENTS WHEN ONLY UNDERGROUND ELECTRIC AND GAS FACILITIES ARE PROPOSED OR EXISTING WITHIN THOSE FIVE (5) FOOT WIDE EASEMENTS.

STATE OF TEXAS § KNOW ALL MEN BY THESE PRESENTS
COUNTY OF COMAL §

I, LEE L. JOHNSON & MELINDA P. JOHNSON, SOLE OWNER OF THE CERTAIN TRACT OF LAND SHOWN HEREON AND DESCRIBED IN A DEED RECORDED IN DOCUMENT NO. 202006047457, AND DOCUMENT NO. 202206014239 OF THE OFFICIAL RECORDS OF COMAL COUNTY, TEXAS, AND DO HEREBY SUBDIVIDE SAID TRACT AS SHOWN HEREON, AND DO HEREBY CONSENT TO ALL PLAT NOTE REQUIREMENTS SHOWN HEREON, AND DO 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.

TO CERTIFY WHICH, WITNESS BY MY HAND THIS ___ DAY OF ___, 20__.

LEE L. JOHNSON
P.O. BOX 1548, SONORA, TEXAS 76950

MELINDA P. JOHNSON
P.O. BOX 1548, SONORA, TEXAS 76950

STATE OF TEXAS § KNOW ALL MEN BY THESE PRESENTS
COUNTY OF COMAL §

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY PERSONALLY APPEARED LEE L. JOHNSON & MELINDA P. JOHNSON KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS ___ DAY OF ___, 20__.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
MY COMMISSION EXPIRES ON: _____

STATE OF TEXAS
COUNTY OF COMAL

I, HONORABLE BOBBIE KOEPP, COUNTY CLERK FOR COMAL COUNTY, DO HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN MY OFFICE ON THE ___ DAY OF ___, A.D., 20__, AT ___ M., AND DULY RECORDED THE ___ DAY OF ___, A.D., 20__ AT ___ M. IN THE RECORDS OF MAPS AND PLATS IN SAID OFFICE, OF SAID COUNTY, IN

DOCUMENT # _____ IN TESTIMONY WHEREOF WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE

THIS ___ DAY OF ___, A.D. 20__.

COUNTY CLERK
COMAL COUNTY, TEXAS

BY: _____ DEPUTY TO COUNTY CLERK

REPLAT OF LOT 119 & 120, BLOCK 10 BELLE OAKS RANCH PHASE IV ESTABLISHING LOT 120R

A 2.15 ACRE TRACT OF LAND AND BEING ALL OF LOT 119 AND 120, BLOCK 10, BELLE OAKS RANCH, PHASE IV SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN DOCUMENT #202006035487, OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS.

THE PURPOSE OF THIS REPLAT IS TO COMBINE LOT 119 BLOCK 10 AND LOT 120, BLOCK 10, BELLE OAKS RANCH PHASE IV.

STATE OF TEXAS § KNOW ALL MEN BY THESE PRESENTS
COUNTY OF COMAL §

I, GARRETT D. KELLER, REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT NO PORTION OF PHASE IV ARE ENCRoACHED BY SPECIAL FLOOD HAZARD AREAS INUNDAED BY 100 YEAR FLOOD AS IDENTIFIED BY THE U.S. FEDERAL EMERGENCY MANAGEMENT AGENCY BOUNDARY MAP, (FLOOD INSURANCE RATE MAP), COMMUNITY PANEL NO. 48091C0195F, EFFECTIVE DATE SEPTEMBER 2, 2009 FOR COMAL COUNTY, TEXAS.

TO CERTIFY WHICH, WITNESS MY HAND AND SEAL AT BULVERDE, COMAL COUNTY, TEXAS, THIS ___ DAY OF ___, 20__.

GARRETT D. KELLER
REGISTERED PROFESSIONAL ENGINEER
NO. 111511 STATE OF TEXAS

I, KYLE L. PRESSLER, REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECTLY MADE FROM AN ACTUAL SURVEY MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREON, AND THAT THERE ARE NO APPARENT DISCREPANCIES, CONFLICTS, OVERLAPPING OF IMPROVEMENTS, VISIBLE UTILITY LINES OR ROADS IN PLACE, EXCEPT AS SHOWN ON THE ACCOMPANYING PLAT, AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY SUPERVISION IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF BULVERDE, TEXAS.

TO CERTIFY WHICH, WITNESS MY HAND AND SEAL AT BULVERDE, COMAL COUNTY, TEXAS, THIS ___ DAY OF ___, 20__.

KYLE L. PRESSLER
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 6528 STATE OF TEXAS

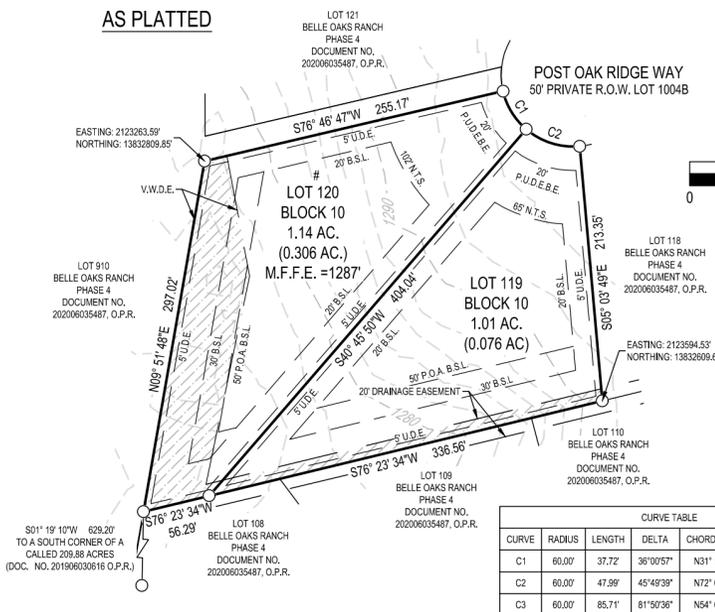
PRELIMINARY. THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.

THIS REPLAT OF LOT 119 & 120 BLOCK 10, OF BELLE OAKS RANCH PHASE IV, 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

AS PLATTED



OWNER/DEVELOPER: LEE L. JOHNSON & MELINDA P. JOHNSON
P.O. BOX 1548, SONORA, TEXAS 76950
PHONE: (713) 823-2055
EMAIL: LLJOHN897@GMAIL.COM

SURVEYOR: MATKIN HOOVER
ENGINEERING & SURVEYING
C/O KYLE L. PRESSLER, R.P.L.S.
8 SPENCER ROAD, SUITE 300
BOERNE, TEXAS 78006
OFF: (830) 249-0600
FAX: (830) 249-0099
KYLE.PRESSLER@MATKINHOOVER.COM

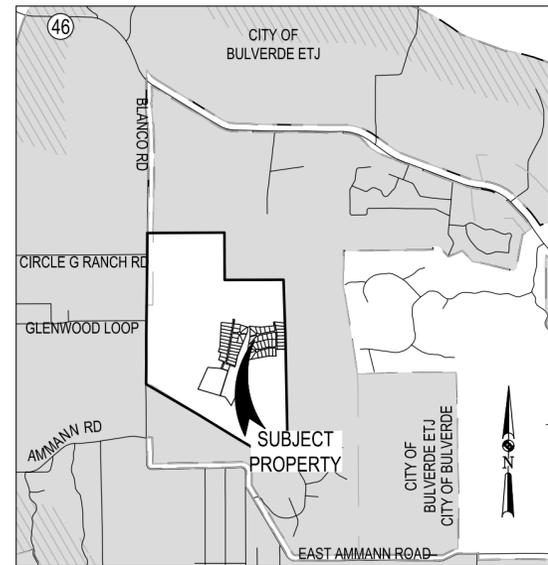
AGENT/PREPARER: MATKIN HOOVER
ENGINEERING & SURVEYING
C/O GARRETT D. KELLER, P.E.
8 SPENCER ROAD, SUITE 100
BOERNE, TEXAS 78006
OFF: (830) 249-0600
FAX: (830) 249-0099
GKELLER@MATKINHOOVER.COM

DATE: 05/26/2022

MHE JOB NO. - 2969.04
MHS JOB NO. - 17-4180



8 SPENCER ROAD SUITE 100
BOERNE, TEXAS 78006
OFFICE: (830) 249-0600
CONTACT@MATKINHOOVER.COM
3303 SHELL ROAD SUITE 3
GEORGETOWN, TEXAS 78028
OFFICE: (512) 866-2244
TEXAS REGISTERED ENGINEERING FIRM F-004512 SURVEYING FIRM F-1002-0000



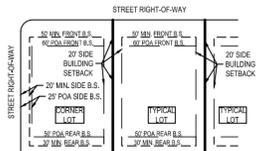
VICINITY MAP
N.T.S.

THIS REPLAT OF LOT 119 & 120, BLOCK 10, BELLE OAKS RANCH PHASE IV WAS FILED WITH THE CITY OF BULVERDE, TEXAS ON THE ___ DAY OF ___, 20__, THE CITY COUNCIL OF THE CITY OF BULVERDE FAILED TO ACT UPON SUCH PLAT WITHIN THE TIME PERIOD PRESCRIBED BY CHAPTER 214, TEXAS LOCAL GOVERNMENT CODE.

DATED THE ___ DAY OF ___, 2022 PLANNING DIRECTOR

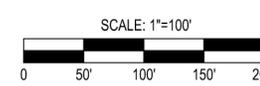
LEGEND

- SET 1/2" IRON ROD WITH A RED PLASTIC CAP STAMPED "MATKIN-HOOVER ENG. & SURVEY."
(X.XXX AC.) LOT ACREAGE CONTAINING DRAINAGE EASEMENT
O.P.R. OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS
P.O.A. PROPERTY OWNER'S ASSOCIATION
P.U.D.E.B.E. PUBLIC UTILITY, DRAINAGE AND EMBANKMENT/BACKSLOPE EASEMENT
V.W.D.E. VARIABLE WIDTH DRAINAGE EASEMENT
N.T.S. NON TYPICAL SETBACK
U.D.E. UTILITY AND DRAINAGE EASEMENT
M.F.F.E. MINIMUM FINISHED FLOOR ELEVATION
[Symbol] DRAINAGE EASEMENT AREA GRAPHICALLY REPRESENTED BY HATCHED AREA

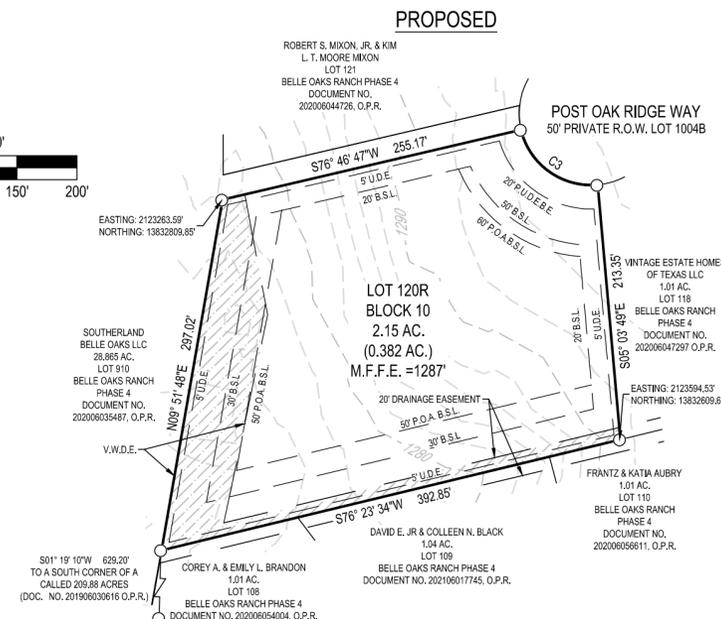


BUILDING SETBACKS
N.T.S. (ESTABLISHED ON ALL LOTS)

PER NOTE ON PHASE 4 PLAT "LOT REQUIRES A DRIVEWAY CULVERT TO CONVEY BAR DITCH RUNOFF TO OPEN SPACE LOT 910 LOCATED BETWEEN LOTS 120 & 121, BLOCK 10"



PROPOSED



OWNER/DEVELOPER: LEE L. JOHNSON & MELINDA P. JOHNSON
P.O. BOX 1548, SONORA, TEXAS 76950
PHONE: (713) 823-2055
EMAIL: LLJOHN897@GMAIL.COM

SURVEYOR: MATKIN HOOVER
ENGINEERING & SURVEYING
C/O KYLE L. PRESSLER, R.P.L.S.
8 SPENCER ROAD, SUITE 300
BOERNE, TEXAS 78006
OFF: (830) 249-0600
FAX: (830) 249-0099
KYLE.PRESSLER@MATKINHOOVER.COM

DATE: 05/26/2022

MHE JOB NO. - 2969.04
MHS JOB NO. - 17-4180



8 SPENCER ROAD SUITE 100
BOERNE, TEXAS 78006
OFFICE: (830) 249-0600
CONTACT@MATKINHOOVER.COM
3303 SHELL ROAD SUITE 3
GEORGETOWN, TEXAS 78028
OFFICE: (512) 866-2244
TEXAS REGISTERED ENGINEERING FIRM F-004512 SURVEYING FIRM F-1002-0000

REVIEW MEMORANDUM

TO: Kyle Pressler
Matkin Hoover
8 Spencer Road, Suite 100
Boerne, TX 78006

FROM: Chelsy Houy, PE, CFM
chouy@half.com

SUBJECT: **Lot 119 & 120 Replat Acceptance**
Belle Oaks Ranch Phase 4
PC-22-24

DATE: July 7, 2022

Half Associates, on behalf of the City of Bulverde, has performed a review on the **Belle Oaks Ranch Phase 4 Lot 119 & 120 Replat**, dated 05/26/2022. The review was conducted relative to the requirements established in the Subdivision Ordinance of the City of Bulverde, the Bulverde Drainage Design Manual (BDDM) AND the Development Agreement dated January 9, 2018 (between the City of Bulverde and Belle Oaks Ranch, LTD.). The following items were reviewed, with resolved items noted in blue. Based on our review of the referenced documents, Half Associates has no further comments and recommends approval.

Plat specifications, Ordinance Section 1.05(b)

1. Note 1 should not reference an amending plat. – [Comment resolved](#)
2. Appears that Note 22 is unnecessary and should be removed. – [Comment resolved](#)
3. Owner's certification should follow the language from Section 1.05(b)(ii)(9) – ending with ..."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." – [Comment resolved](#)
4. Adjoining lot information should include owner name, acreage and deed record information, as specified in Section 1.05(b)(ii)(21). – [Comment resolved](#)

Plat Supporting Documents, Ordinance Section 1.04(c)

1. Gas company documentation provided with this plat incorrectly references the lot 27 & 28, Phase 8 replat. Please provide the correct gas company release for this plat. – [Comment resolved](#)
2. It appears final release from Canyon Lake Water Service Company (CLWSC) is in the process of releasing the utility easement. Please provide the final release document when available. – [Comment resolved](#)



PLANNING AND ZONING COMMISSION ITEM:
PC-22-25

REPLAT

Replat of Lots 27 and 28, Block 12
Belle Oaks Ranch Phase VIII

MEETING DATE: July 14, 2022
DEPARTMENT: Planning & Development
PRESENTED BY: Susana Huerta, AICP, Planning Director

REQUEST:

Consider the approval of a Replat for Lot 27 and Lot 28, Block 12, Belle Oaks Ranch Phase VIII, generally located near the intersection of Blanco Road and State Highway 46.

APPLICANT:

Reshmey & David Tharakan
615 Sentry Hill
San Antonio, TX 78260

PROPERTY INFORMATION:

Owner: Reshmey & David Tharakan
Legal Description: Lot 27 & Lot 28, Block 12, Belle Oaks Ranch Phase VIII
Size: 2.02 acres; 2 lots
Existing Land Use: Undeveloped
Existing Zoning: R-2
Proposed Land-Use: Single Family Residential

SUMMARY & ANALYSIS:

This is a proposed replat of 2.02 acres, which was previously platted as Lot 27 and Lot 28, Block 12, Belle Oaks Ranch Phase VIII at the time of original approval. The purpose of this replat is to combine Lots 27 and 28, creating Lot 28R.

Utility and drainage easements between the two original lots have been released by the appropriate utility service providers – Canyon Lake Water Service Company (CLWSC), Guadalupe Valley Telephone Cooperative (GVTC) and Pedernales Electric Cooperative (PEC).

STAFF RECOMMENDATION:

The application, plat and required documents have been reviewed by Half Associates and City staff. All comments made during review were addressed.

Therefore, Staff recommends APPROVAL of this Replat.

ATTACHMENTS:

Application

Plat

Plat Review Memo



APPLICATION FOR REPLAT

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.

- Name of Subdivision: BELLE OAKS RANCH Unit No PHASE VIII
 Location Description/Nearest Intersection: LOT 27 & LOT 28, BLOCK 12
- Owner/Applicant: RESHMEY & DAVID THARAKAN
 Address: 615 SENTRY HILL, SAN ANTONIO, TX 78260 Email: dtharakan1@gmail.com
 Telephone: 210-601-1413; 210-859-0608 Fax: _____ Mobile: reshmey07@gmail.com
Note: If applicant is person other than owner, a letter of authorization must be provided from owner.
- Licensed Engineer/Surveyor (technical contact): KYLE PRESSLER
 Address: 8 SPENCER ROAD, STE 300, BOERNE, TX 78006 Email: KYLE.PRESSLER@MATKINHOOVER.COM
 Telephone: (830) 249-0600 Fax: _____ Mobile: _____

- Property Details:

| | | | | |
|-----------------------------------|--|--|-----------------------|---|
| City Limits: | <input checked="" type="checkbox"/> In | <input type="checkbox"/> Out (ETJ) | Water Source: | <u>CLWSC</u> |
| Commercial: | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | Sewage Treatment: | <u>OSSF</u> |
| Residential: | <input type="checkbox"/> Yes | <input type="checkbox"/> No | TxDOT Frontage: | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| No. of Lots: | <u>2</u> | | 100-Year Floodplain: | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| Total Acreage without floodplain: | _____ | | Edwards Aquifer Zone: | <input type="checkbox"/> Recharge |
| Density Class: | _____ | | | <input checked="" type="checkbox"/> Contributing |
| Zoning Class: | _____ | | | |

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.

[Signature] _____ Date June 7, 2022

Fees and Submittal Dates on Page 2

Form Date: 01.13.2021 Submittal Format: _____ 1

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

NOTES:

- 1. ACREAGE OF SUBDIVISION = 113.423 ACRES. THE OVERALL AVERAGE DENSITY OF LOTS IN THIS SUBDIVISION IS 1.37 A/LOT.
2. A PORTION OF THIS SUBDIVISION IS WITHIN A SPECIAL FLOOD HAZARD ZONE "A" AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY BOUNDARY MAP.
3. WATER SERVICE FOR THIS SUBDIVISION WILL BE PROVIDED BY CANYON LAKE WATER SERVICE COMPANY (CLWSC).
4. SEWER SERVICE FOR THIS SUBDIVISION WILL BE PROVIDED BY ONSITE SEWAGE FACILITIES.
5. ELECTRIC SERVICE PROVIDED BY PEDERNALS ELECTRIC COOPERATIVE.
6. COMMUNICATIONS SERVICE WILL BE PROVIDED BY GUADALUPE VALLEY TELEPHONE COOPERATIVE.
7. POSTAL SERVICE WILL BE PROVIDED BY CLUSTER BOXES WITHIN THE SUBDIVISION.
8. UNLESS OTHERWISE NOTED, ALL CORNERS, ANGLES AND POINTS OF CURVATURE ARE MARKED WITH 1/2" IRON RODS WITH MATKINHOOPER CAP.
9. BEARINGS ARE BASED ON THE STATE PLANE COORDINATE SYSTEM ESTABLISHED FOR THE TEXAS SOUTH CENTRAL ZONE 4204, NORTH AMERICAN DATUM (NAD) OF 1983.
10. SURFACE ADJUSTMENT FACTOR 1.00013. DISTANCES SHOWN HEREON ARE GRID UNITS. VERTICAL DATUM IS BASED ON NAVD83.
11. THIS SUBDIVISION LIES WITHIN THE EDWARDS AQUIFER CONTRIBUTING ZONE. NO CONSTRUCTION IN THE SUBDIVISION MAY BEGIN UNTIL THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ) HAS APPROVED THE CONTRIBUTION ZONE PLAN (CZP) IN WRITING.
12. UNLESS SHOWN OTHERWISE, A TWENTY (20) FOOT PUBLIC UTILITY EMBANKMENT/BACKSLOPE AND DRAINAGE EASEMENT (P.U.D.E.B.E.) IS HEREBY DEDICATED ALONG THE FRONT PROPERTY LINE OF ALL LOTS IN THIS SUBDIVISION IN ADDITION TO THOSE UTILITY AND DRAINAGE EASEMENTS SHOWN ON THE PLAT. THERE IS ALSO HEREBY DEDICATED A FIVE (5) FOOT WIDE UTILITY AND DRAINAGE EASEMENT ADJACENT TO ALL NON-ROADWAY LOT LINES UNLESS OTHERWISE NOTED ON THE PLAT. IF TWO OR MORE LOTS ARE COMBINED AS A SINGLE HOME SITE, THIS EASEMENT SHALL BE RELINQUISHED ALONG THE COMMON LINE OR LINES OF THE COMBINED LOTS SO LONG AS NO UTILITY LINES OR DRAINAGE IMPROVEMENTS ARE LOCATED THEREIN.
13. ALL PUBLIC UTILITY EASEMENTS ARE FOR UTILITY IMPROVEMENTS, INCLUDING BUT NOT LIMITED TO ELECTRIC, GAS, TELEPHONE, AND/OR CATV LINES AND APPURTENANCES.
14. GRANTOR HEREBY DEDICATES TO THE PUBLIC UTILITY EASEMENT AND/OR UTILITY RIGHT-OF-WAY ON THIS PLAT FOR UTILITY PURPOSES.
15. NO STRUCTURE, FENCES, WALLS, OR OTHER OBSTRUCTIONS OF ANY KIND SHALL BE PLACED WITHIN THE LIMITS OF THE DRAINAGE EASEMENTS SHOWN ON THIS PLAT. LANDSCAPING, FENCES, OR OTHER TYPES OF MODIFICATIONS WHICH ALTER THE CROSS-SECTIONS OF THE DRAINAGE EASEMENTS OR DECREASE THE HYDRAULIC CAPACITY OF THE EASEMENT SHALL NOT BE ALLOWED WITHOUT THE APPROVAL OF THE CITY ENGINEER.
16. PROPERTY OWNERS ARE ADVISED THAT THEY ARE RESPONSIBLE FOR MAINTENANCE OF DEDICATED EASEMENTS ON THEIR PROPERTY AND MAY NOT UTILIZE THESE EASEMENTS FOR ANY PURPOSE DETRIMENTAL TO THEIR INTENDED USE (I.E. NO STRUCTURES, SEPTIC TANKS FIELDS, ETC.). GRANTEES OF SAID DEDICATED EASEMENTS RESERVE THE RIGHT OF ACCESS TO SUCH EASEMENTS.
17. A DEVELOPMENT AGREEMENT FOR BELLE OAKS RANCH WAS EXECUTED ON JANUARY 9TH, 2018 AND RECORDED AS DOCUMENT NO. 201806001658 IN THE OFFICIAL PUBLIC RECORDS OF COMAL COUNTY. THE DEVELOPMENT IS SUBJECT TO THE CITY OF BULVERDE ORDINANCE IN EFFECT AT THE TIME OF THE DEVELOPMENT AGREEMENT EXECUTION. AN AMENDMENT TO THIS DEVELOPMENT WAS APPROVED BY CITY COUNCIL ON MAY 12, 2020 AND THE SIDE BUILDING SET BACKS SHOWN ON THIS PLAT ARE IN COMPLIANCE WITH THIS AMENDED DEVELOPMENT AGREEMENT.
18. IT IS HEREBY UNDERSTOOD AND AGREED THAT NON-EXCLUSIVE, PERPETUAL EASEMENTS ARE RESERVED FOR THE INSTALLATION AND MAINTENANCE OF PUBLIC UTILITIES AND ALL NECESSARY APPURTENANCES. WHETHER THESE IMPROVEMENTS ARE INSTALLED UNDERGROUND, OVERHEAD, AND/OR ON THE SURFACE OF THE GROUND WITHIN THE PUBLIC UTILITY EASEMENTS DEDICATED ON THIS PLAT, NOTHING SHALL BE PLACED OR PERMITTED TO REMAIN IN A PUBLIC UTILITY EASEMENT AREA WHICH MAY DAMAGE OR INTERFERE WITH THE INSTALLATION AND MAINTENANCE OF SAID PUBLIC UTILITIES. THE PUBLIC UTILITY EASEMENT AREA OF EACH LOT AND ALL IMPROVEMENTS WITHIN IT SHALL BE MAINTAINED BY THE OWNER OF THE LOT. EXCEPT FOR THOSE FACILITIES FOR WHICH AN AUTHORITY OR PUBLIC UTILITY PURVEYOR IS RESPONSIBLE. PUBLIC UTILITY PURVEYORS AND THEIR EMPLOYEES SHALL HAVE ALL OF THE RIGHTS AND BENEFITS NECESSARY FOR THE FULL ENJOYMENT OF THE RIGHTS HEREIN GRANTED, INCLUDING BUT NOT LIMITED TO INGRESS AND EGRESS FROM PRIVATE ROADS AND EASEMENTS, AND THE RIGHT FROM TIME TO TIME TO CUT ANY AND ALL TREES, UNDERGROWTH AND OTHER OBSTRUCTIONS THAT MAY CAUSE INTERFERENCE WITH THE OPERATION OF SAID PUBLIC UTILITY FACILITIES.
19. THE CITY OF BULVERDE SHALL NOT BE RESPONSIBLE FOR MAINTENANCE OF PRIVATE STREETS, DRIVES, RECREATION AREAS AND OPEN SPACES; THE SUBDIVISION PROPERTY OWNERS ASSOCIATION SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF PRIVATE STREETS, ROADS, DRIVES, RECREATION AREAS AND OPEN SPACES, AND SAID OWNERS AGREE TO INDEMNIFY AND SAVE HARMLESS THE CITY OF BULVERDE, FROM ALL CLAIMS, DAMAGES AND LOSSES ARISING OUT OF OR RESULTING FROM PERFORMANCE OF THE OBLIGATIONS OF SAID OWNERS SET FORTH IN THIS NOTE.
20. A PERPETUAL PUBLIC SAFETY AND PUBLIC SERVICE EASEMENT WITHIN THE PRIVATE ROADS FOR THE PURPOSE OF PROVIDING PUBLIC SAFETY SERVICES, POLICE, FIRE AND MEDICAL SERVICES, UTILITY METER READING, CODE ENFORCEMENT, BUILDING INSPECTIONS, SOLID WASTE COLLECTION, PUBLIC SCHOOL TRANSPORTATION, ANY OTHER PUBLIC SERVICES AND ENFORCING THE CITY ORDINANCES; AND GRANTS THE CITY AND ITS AUTHORIZED OFFICERS AND DESIGNEES UNINHIBITED INGRESS AND EGRESS OVER, ACROSS AND THROUGH SUCH PRIVATE DRIVES, STREETS, ROADWAYS, AND RIGHTS-OF-WAY FOR THE PURPOSE OF PROVIDING PUBLIC SAFETY SERVICES, POLICE, FIRE AND MEDICAL SERVICES, AND ENFORCING THE PENAL CODE AND CITY ORDINANCES. THE POA SHALL MAINTAIN AT ALL TIMES WITH THE CITY SECRETARY THE CURRENT GATE CODE OR KEY FOR ALL GATES REGULATING ACCESS TO AND FROM THE SUBDIVISION.
21. A DRIVEWAY CULVERT IS REQUIRED FOR ALL DRIVEWAYS WHERE DRAINAGE CONVEYANCE ACROSS THE DRIVEWAY IS REQUIRED.
22. IN ORDER TO PROMOTE DRAINAGE AWAY FROM A STRUCTURE, THE SLAB ELEVATION SHOULD BE BUILT AT LEAST ONE FOOT HIGHER THAN THE HIGHEST SPOT ELEVATION THAT IS LOCATED WITHIN FIVE FEET OUTSIDE THE PERIMETER OF THE BUILDING, OR MINIMUM FINISHED FLOOR ELEVATION, WHICHEVER IS HIGHER, AND THE GROUND SHOULD BE GRADED AWAY FROM THE STRUCTURE AT A SLOPE OF 2% PER FOOT FOR A DISTANCE OF AT LEAST 10 FEET.
23. DRIVEWAYS SHALL TAKE ACCESS OFF OF INTERNALLY PLATTED ROADS.
24. DUE TO FUTURE POTENTIAL WATER SYSTEM MODIFICATIONS, ALL LOTS WITHIN THIS DEVELOPMENT SHALL INSTALL AN INDIVIDUAL PRESSURE REDUCING VALVE ON THE CUSTOMER SIDE OF THE METER. THE INDIVIDUAL PRESSURE REDUCING VALVES SHALL BE OWNED AND MAINTAINED BY THE INDIVIDUAL LOT OWNER.
25. BELLE OAKS RANCH PHASE VIII DRAINAGE DESIGN WAS BASED ON AN AVERAGE IMPERVIOUS COVER OF 10,000 SF PER LOT. ALL LOTS THAT CONSTRUCT MORE THAN 10,000 SF MAY BE SUBJECT TO ADDITIONAL DRAINAGE ANALYSIS AND DETENTION REQUIREMENTS. IF TWO OR MORE LOTS ARE COMBINED AS A SINGLE HOME SITE, THE IMPERVIOUS COVER PERMITTED INCREASES BY 10,000 SF FOR EACH LOT COMBINED.

PEDERNALS ELECTRIC NOTES:

- 1. ANY PEC MONETARY LOSS RESULTING FROM MODIFICATIONS REQUIRED OF PEC 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.
2. PEDERNALS ELECTRIC COOPERATIVE, INC. (PEC) AS PART OF ITS ELECTRIC SYSTEM ARE 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", "OVERHANG EASEMENT", "UTILITY EASEMENT", AND "TRANSFORMER EASEMENT" FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, RECONSTRUCTING, MAINTAINING, REMOVING, INSPECTING, PATROLLING, AND ERECTING POLES, HANGING OR BURYING WIRES, CABLES, CONDUITS, PIPELINES OR TRANSFORMERS, EACH WITH ITS NECESSARY APPURTENANCES TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER GRANTOR'S ADJACENT LAND, THE RIGHT-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.
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: NONE.
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 FIVE (5) FOOT WIDE ELECTRIC AND GAS EASEMENTS WHEN ONLY UNDERGROUND ELECTRIC AND GAS FACILITIES ARE PROPOSED OR EXISTING WITHIN THOSE FIVE (5) FOOT WIDE EASEMENTS.

STATE OF TEXAS KNOW ALL MEN BY THESE PRESENTS
COUNTY OF COMAL

I, DAVID THARAKAN AND RESHMEY R. THARAKAN, HUSBAND AND WIFE, SOLE OWNER OF THE CERTAIN TRACTS OF LAND SHOWN HEREON AND DESCRIBED IN DEEDS RECORDED IN DOCUMENT NO. 202106043964 OF THE OFFICIAL RECORDS OF COMAL COUNTY, TEXAS, AND DO HEREBY SUBDIVIDE SAID TRACTS AS SHOWN HEREON, AND DO HEREBY CONSENT TO ALL PLAT NOTE REQUIREMENTS SHOWN HEREON, AND DO 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.

TO CERTIFY WHICH, WITNESS BY MY HAND THIS DAY OF 20__

DAVID THARAKAN RESHMEY R. THARAKAN
615 SENTRY HILL, SAN ANTONIO, BEXAR COUNTY, TEXAS 78260 615 SENTRY HILL, SAN ANTONIO, BEXAR COUNTY, TEXAS 78260

STATE OF TEXAS KNOW ALL MEN BY THESE PRESENTS
COUNTY OF COMAL

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY PERSONALLY APPEARED DAVID THARAKAN AND RESHMEY R. THARAKAN, HUSBAND AND WIFE, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS DAY OF 20__

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS MY COMMISSION EXPIRES ON: _____

STATE OF TEXAS
COUNTY OF COMAL

I, HONORABLE BOBBIE KOEPP, COUNTY CLERK FOR COMAL COUNTY, DO HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN MY OFFICE ON THE DAY OF A.D., 20__ AT M. AND DULY RECORDED THE DAY OF A.D., 20__ AT M. IN THE RECORDS OF MAPS AND PLATS IN SAID OFFICE, OF SAID COUNTY, IN

DOCUMENT # _____ IN TESTIMONY WHEREOF WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE

THIS DAY OF A.D. 20__

COUNTY CLERK
COMAL COUNTY, TEXAS

BY: _____ DEPUTY TO COUNTY CLERK

REPLAT OF LOT 27 & 28, BLOCK 12, BELLE OAKS RANCH PHASE VIII, ESTABLISHING LOT 28R

A 2.02 ACRE TRACT OF LAND AND BEING ALL OF LOT 28 AND 29, BLOCK 12, BELLE OAKS RANCH, PHASE VIII SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN DOCUMENT #20210603281, OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS.

THE PURPOSE OF THIS REPLAT IS TO COMBINE LOT 27, BLOCK 12 AND LOT 28, BLOCK 12, BELLE OAKS RANCH PHASE VIII INTO LOT 28R, BLOCK 10, BELLE OAKS RANCH PHASE VII.

STATE OF TEXAS KNOW ALL MEN BY THESE PRESENTS
COUNTY OF COMAL

I, GARRETT D. KELLER, REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT A PORTION OF THIS SUBDIVISION IS WITHIN A SPECIAL FLOOD HAZARD ZONE "A" AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY BOUNDARY MAP (FLOOD INSURANCE RATE MAP), COMMUNITY PANEL NO. 48091C0195F DATED SEPTEMBER 2, 2009. FOR COMAL COUNTY, TEXAS.

TO CERTIFY WHICH, WITNESS MY HAND AND SEAL AT BULVERDE, COMAL COUNTY, TEXAS, THIS DAY OF 20__

GARRETT D. KELLER
REGISTERED PROFESSIONAL ENGINEER
NO. 111511 STATE OF TEXAS

I, KYLE L. PRESSLER, REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECTLY MADE FROM AN ACTUAL SURVEY MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREON, AND THAT THERE ARE NO APPARENT DISCREPANCIES, CONFLICTS, OVERLAPPING OF IMPROVEMENTS, VISIBLE UTILITY LINES OR ROADS IN PLACE, EXCEPT AS SHOWN ON THE ACCOMPANYING PLAT, AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY SUPERVISION IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF BULVERDE, TEXAS.

TO CERTIFY WHICH, WITNESS MY HAND AND SEAL AT BULVERDE, COMAL COUNTY, TEXAS, THIS DAY OF 20__

KYLE L. PRESSLER
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 6528 STATE OF TEXAS

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.

THIS REPLAT OF LOT 27 AND LOT 28, BLOCK 12, PHASE 8 BELLE OAKS RANCH, 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.

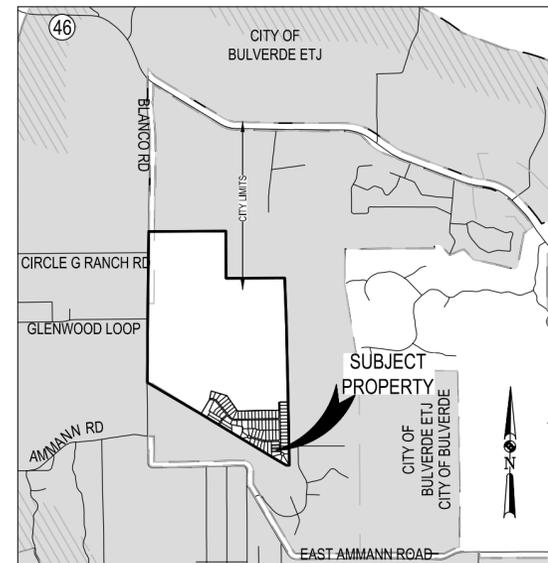
DATED THIS DAY OF YEAR

BY: _____ CHAIRPERSON

THIS REPLAT OF LOT 27 AND LOT 28, BLOCK 12, PHASE 8 BELLE OAKS RANCH WAS FILED WITH THE CITY OF BULVERDE, TEXAS ON THE DAY OF 20__ THE CITY COUNCIL OF THE CITY OF BULVERDE FAILED TO ACT UPON SUCH REPLAT WITHIN THE TIME PERIOD PRESCRIBED BY CHAPTER 214, TEXAS LOCAL GOVERNMENT CODE.

DATED THE DAY OF 20__

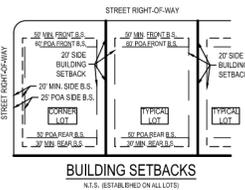
PLANNING DIRECTOR



VICINITY MAP N.T.S.

LEGEND

- Symbol for SET 1/2" IRON ROD WITH A RED PLASTIC CAP STAMPED "MATKIN-HOOVER ENG. & SURVEY."
Symbol for OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS
Symbol for PROPERTY OWNER'S ASSOCIATION
Symbol for PUBLIC UTILITY, DRAINAGE AND EMBANKMENT/BACKSLOPE EASEMENT
Symbol for VARIABLE WIDTH DRAINAGE EASEMENT
Symbol for NON TYPICAL SETBACK
Symbol for UTILITY AND DRAINAGE EASEMENT
Symbol for MINIMUM FINISHED FLOOR ELEVATION



AS PLATTED

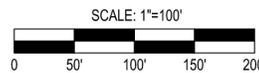
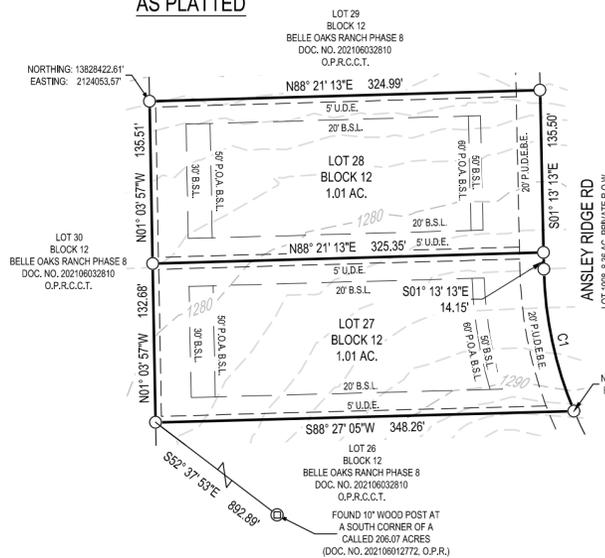
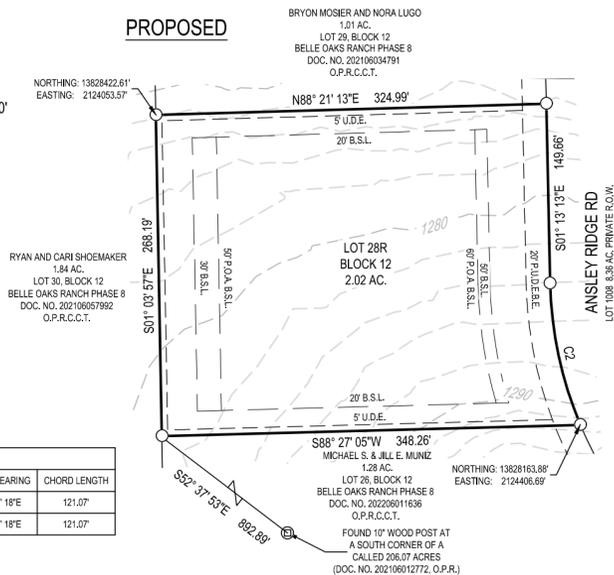


Table with 5 columns: CURVE, RADIUS, LENGTH, DELTA, CHORD BEARING, CHORD LENGTH. Contains data for curves C1 and C2.

PROPOSED



OWNER/DEVELOPER: DAVID THARAKAN AND RESHMEY R. THARAKAN, 615 SENTRY HILL, SAN ANTONIO, BEXAR COUNTY, TEXAS 78260. PHONE: 210-601-1413; 210-859-0608. EMAIL: RESHMEY007@GMAIL.COM; DTHARAKAN93@GMAIL.COM

SURVEYOR: MATKIN HOOVER ENGINEERING & SURVEYING C/O KYLE L. PRESSLER, R.P.L.S., 8 SPENCER ROAD, SUITE 300 BOERNE, TEXAS 78006. OFF: (830) 249-0600. FAX: (830) 249-0099. KYLE.PRESSLER@MATKINHOOPER.COM

AGENT/PREPARER: MATKIN HOOVER ENGINEERING & SURVEYING C/O GARRETT D. KELLER, P.E., 8 SPENCER ROAD, SUITE 100 BOERNE, TEXAS 78006. OFF: (830) 249-0600. FAX: (830) 249-0099. GKELLER@MATKINHOOPER.COM



8 SPENCER ROAD SUITE 100 BOERNE, TEXAS 78006. OFFICE: (830) 249-0600. CONTACT@MATKINHOOPER.COM. 3301 SHELL ROAD SUITE 3 GEORGETOWN, TEXAS 78028. OFFICE: 512.866.2244. TEXAS REGISTERED ENGINEERING FIRM F-004512 SURVEYING FIRM F-10024000

DATE: 5/26/2022
MHE JOB NO. - 2969.08
MHS JOB NO. - 17-4180

REVIEW MEMORANDUM

TO: Kyle Pressler
Matkin Hoover
8 Spencer Road, Suite 100
Boerne, TX 78006

FROM: Chelsy Houy, PE, CFM
chouy@half.com

SUBJECT: **Lot 27 & 28 Replat Acceptance**
Belle Oaks Ranch Phase 8
PC-22-25

DATE: July 7, 2022

Half Associates, on behalf of the City of Bulverde, has performed a review on the **Belle Oaks Ranch Phase 8 Lot 27 & 28 Replat**, dated 05/26/2022. The review was conducted relative to the requirements established in the Subdivision Ordinance of the City of Bulverde, the Bulverde Drainage Design Manual (BDDM) AND the Development Agreement dated January 9, 2018 (between the City of Bulverde and Belle Oaks Ranch, LTD.). The following items were reviewed, with resolved items noted in **blue**. Based on our review of the referenced documents, Half Associates has no further comments and recommends approval.

Plat specifications, Ordinance Section 1.05(b)

1. Note 1 should reference the acreage of only the replat. – **Comment resolved.**
2. Modify note 25 to add statement that “If two or more lots are combined as a single homesite, the impervious cover permitted increases by 10,000 SF for each lot added to the first lot.” – **Comment resolved.**
3. Plat is missing north scale and arrow, as required in Section 1.05(b)(ii)(3).
4. Clarify subject property location on vicinity map [Sec. 1.05(b)(ii)(3)].
5. Owner’s certification should follow the language from Section 1.05(b)(ii)(9) – ending with ...”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.” – **Comment resolved.**
6. Owner’s address is in Bexar County. Please verify the county for certifications/notary or leave a _____ to be filled in at the time of signing. – **Comment resolved.**
7. Adjoining lot information should include owner name, acreage and deed record information, as specified in Section 1.05(b)(ii)(21). – **Comment resolved.**

Plat Supporting Documents, Ordinance Section 1.04(c)

1. Boundary closure documentation missing [Sec. 1.04(d)(ii)(p)]. – **Comment resolved.**



PLANNING & ZONING COMMISSION ITEM:
VR-22-11

SIGN VARIANCE

20475 State Highway 46 Suite 104

MEETING DATE: July 14, 2022

DEPARTMENT: Planning & Development

PRESENTED BY: Susana Huerta, AICP, Planning Director

REQUEST:

Consider a request by U.S Signs for a variance to Section 3.08.102 (a)(2) of the City of Bulverde Code of Ordinances at 20475 State Highway 46 Suite 104.

OWNER:

Jessica Cain c/o HEB
PO Box 839955
San Antonio, TX 78283

APPLICANT:

Lydell Toye c/o U.S. Signs
258 Trade Center Drive
New Braunfels, TX 78130

PROPERTY INFORMATION:

Address: 20475 State Highway 46 Suite 104
Legal Description: HEB Bulverde, Lot 1
Owner: HEB
Existing Land Use: Developed
Existing Zoning: C-2 Commercial

ANALYSIS:

U.S. Signs, on behalf of Texas Physical Therapy Specialists, is proposing one (1) attached sign to be located at 20475 State Highway 46 Suite 104. The sign, as indicated in the attached renderings, is proposed to be 84.3 sqft.

Per Section 3.08.102 (a)(2) of the Bulverde Code of Ordinances, the maximum allowed square footage for attached signs for lease spaces are *“For the lease spaces in a strip mall, 25% of the facade area between the uppermost window or awning to the roof or top of the parapet shall be the maximum sign [size] of the sign or 32 square feet, whichever is lesser.”*

The proposed sign as indicated exceeds the maximum size allowed per city sign code. Therefore, the applicant is requesting a variance to allow the placement of the 84.3 sqft attached sign.

In the applicant's explanation, it is noted that neighboring businesses signs in this strip mall appear to exceed what is allowed per city code. Please be advised that it appears sign permits for neighboring businesses were reviewed based off an inapplicable section of the city's sign code regarding stand-alone buildings, and not the section regarding strip-centers. As a result, calculations of size compliance with the city code were done incorrectly.

Approval of the variance request does not permit the construction of signage at the specified location. Approval of the variance only serves to allow the signage discussed above to be potentially permitted through the typical permitting process.

CRITERIA FOR EVALUATION:

City Code has established criteria for the approval of variances to the City's signage regulations.

Section 3.08.072 of the City Code states:

“In granting any variance, the city council shall determine that a literal enforcement of the sign regulations will create an unnecessary hardship or a practical difficulty on the applicant, that the situation causing the unnecessary hardship or practical difficulty is unique to the affected property and is not self-imposed, that the variance will not injure and will be wholly compatible with the use and permitted development of adjacent properties, and that the granting of the variance will be in harmony with the spirit and purpose of this article.”

ATTACHMENTS:

- A. Application
- B. Explanation
- C. Sign Plan



Application for Variance

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

Date: 06/10/22

Case No. _____

Applicant Information:

Lydell Toye c/o U.S.Signs 830-629-4411

Name 258 Trade Center Dr. New Braunfels Phone ussignsnb.com Fax _____
Address _____ Email _____

Property Owner Information:

Jessica Cain c/o HEB 210-938-8953

Name _____ Phone Box 839955 San Antonio 78283 Fax cain.jessica@heb.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: 20475 Hwy 46 W. #104

Legal Description: _____

Zoning District Classification: _____

Description of Request:

- Variance to Section 3.08.102 of the City of Bulverde Code of Ordinances, which requires:
No more than 32 sq ft of wall signage total.
- 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:

- 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.

Signature of Owner/Applicant

06/10/22

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 Sign 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 how the situation causing the unnecessary hardship or practical difficulty is unique to the property and not self-imposed?

The 32 sq foot rule does not serve any propose for signage
on a store front with this much square foot frontage.
Please see renderings attached.

- 2) Describe the unnecessary hardship that would result due to a literal enforcement of the regulation.

You will not be able to see the advertising tenant signage
due to how small it would be according to the current ordinance

- 3) Describe how the variance will not injure and will be wholly compatible with the use and permitted development of adjacent properties.

The two tenants on either side of proposed location
have signs much larger than 32 square feet.
As their lease spaces are large also.
See rendering attached

- 4) Describe how granting the variance will be in harmony with the spirit and purpose of this article.

We will be in the same area with sign size as the neighbors
on either side of us. Customers will have no issue with finding
the lease location of the clinic

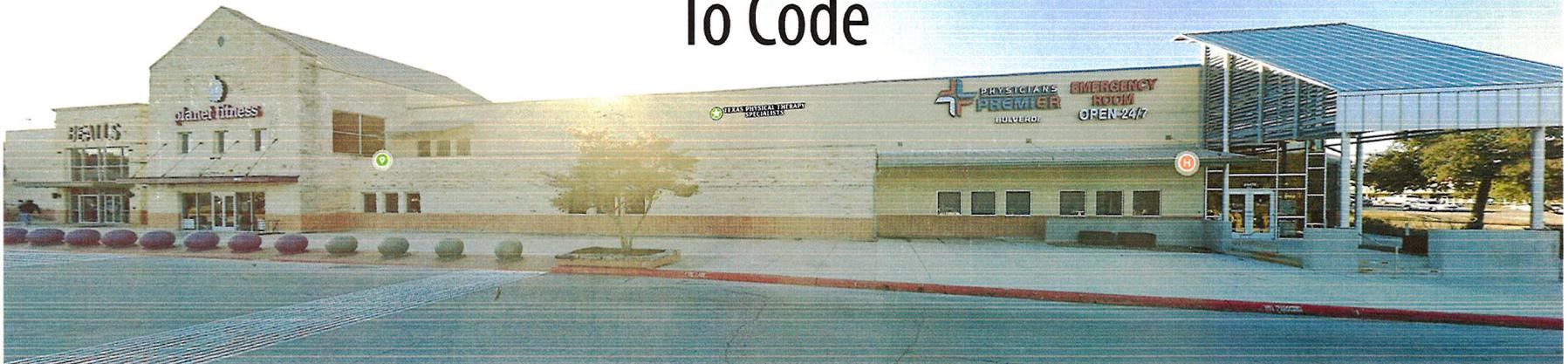
***Note for the Board / Commission:**

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

Proposed



To Code



State License TSCL 18159

Proprietary: TM Trade Dept. of Licensing & Regulation, P.O. Box 12157, Austin, TX 78711
1-800-894-0277 www.us-signs.com (c) 2007

258 TRADE CENTER DRIVE
NEW BRAUNFELS, TEXAS 78130
830.629.4411 FAX 830.629.8099
ussigns@sbcglobal.net • www.ussignsnb.com



Client  **TEXAS PHYSICAL THERAPY SPECIALISTS** 20475 Hwy 46 W. #104 Bulverde

Approval

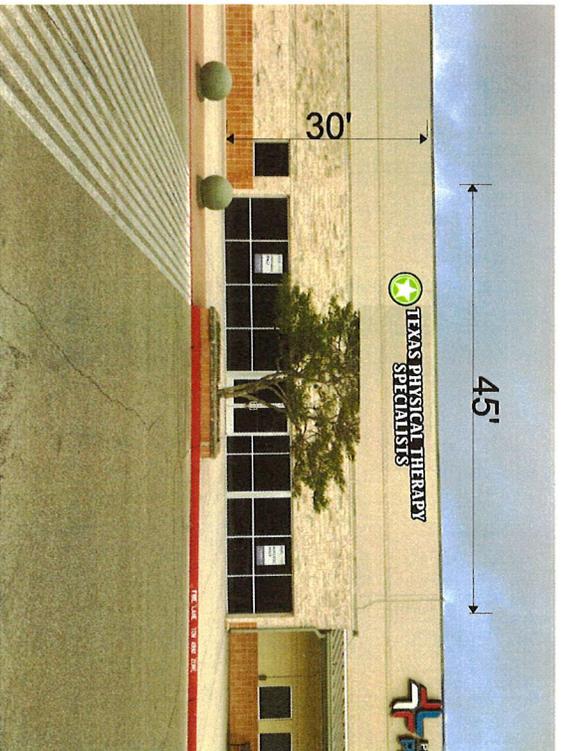
Date

All drawings submitted are property of U.S. Signs until purchased by The Client. No alterations or distributions can be made without written consent from U.S. Signs

THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN.

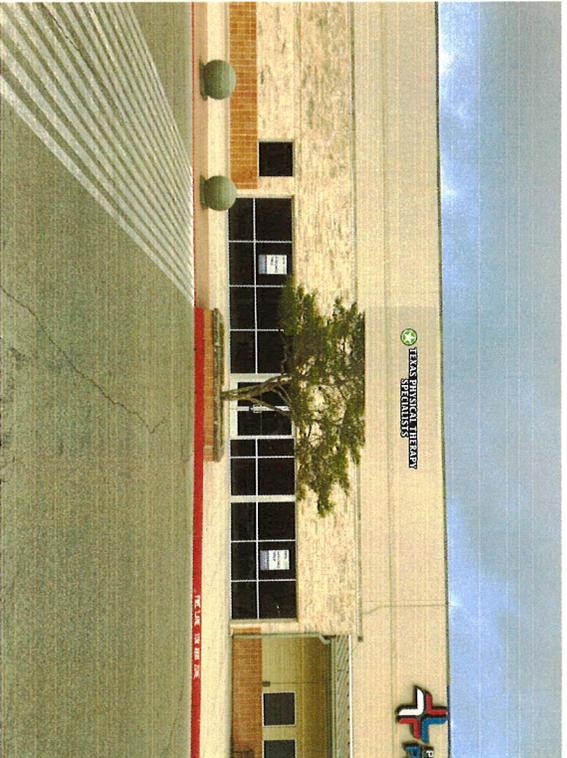
Proposed

Wall area 30' x 45' = 1350 sq ft
 Sign Area 41" x 24' 8" = 84.3 sq ft



To Code

Wall area 30' x 45' = 1350 sq ft
 Sign Area 2' x 16' = 32 sq ft



258 TRADE CENTER DRIVE
 NEW BRAUNFELS, TEXAS 78130
 830.629.4411 FAX 830.629.8099
 ussigns@sbcglobal.net • www.ussignsb.com



State License TSCL 18159



Client  **TEXAS PHYSICAL THERAPY SPECIALISTS** 20475 Hwy 46 W. #104 Bulverde

Approval

Date

All drawings submitted are property of U.S. Signs until purchased by The Client. No alterations or distributions can be made without written consent from U.S. Signs

THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN.



PLANNING & ZONING COMMISSION ITEM:
VR-22-12

VARIANCE

Lewis Creek Development –
Traffic Impact Analysis

MEETING DATE: July 14, 2022

DEPARTMENT: Planning & Development

PRESENTED BY: Susana Huerta, AICP, Planning Director

REQUEST:

Consider a request by Vantage, Inc. for a variance to Chapter 10, Subdivision Ordinance, Section 1.04 (b)(iv)(e), related to Master Development Plan Traffic Impact Analysis Requirements; of the City of Bulverde Code of Ordinances, on an approximately 280.42-acre tract of land, generally located at 0 Old Boerne Road.

OWNER:

Even Bossier LLC
7660 Fay Ave #184
La Jolla, CA92037

APPLICANT:

Vantage, Inc.
20540 State Hwy 46, Suite 115-194
Spring Branch, TX 78070

PROPERTY INFORMATION:

Address: 0 Old Boerne Road
Legal Description: ACRES 280.42; A-281 SUR-667 CW HAAS, A-191 SUR-464 T
GOTTHARD; A-321 SUR-657 C KOCH
Owner: Even Bossier LLC
Existing Land Use: Undeveloped
Existing Zoning: R-2, Residential District

SUMMARY:

The applicant, Vantage, Inc., intends to develop a 270.66-acre tract of land into a 183-lot single-family residential, medium density subdivision with proposed lot sizes of a minimum one acre in size located at the end of Elm Valley Drive approximately 5,807 feet west of the US Hwy 281 and Elm Valley Drive intersection. The property has 254.41 acres within the City Limits of the City of Bulverde and 30.01 acres within the ETJ.

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).

Attached is the proposed Lewis Creek Master Development Plan (MDP). The property does not benefit from a Development Agreement. While the applicant did include a TIA in their Master Development Plan (MDP) submittal, due to recent discussions and project reconfiguration efforts, the applicant is requesting that the necessary revised TIA be submitted along with the Phase 1 Final Plat. Otherwise, they would be required to revise it prior to approval of the MDP.

The applicant has submitted a written statement for this variance request, which is attached to this staff report. The applicant shall present their case to the City Council 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 BULVERDE CODE OF ORDINANCES THAT DO NOT INCLUDE THIS REQUESTED VARIANCE WILL BE REQUESTED IN A SEPARATE APPLICATION AND APPROVAL PROCESS.

ANALYSIS:

Under Section 1.04 (b)(iv)(e), of the Bulverde Code of Ordinances, *A person seeking approval of a Master Development Plan must file an application in the format established by the City. The items listed below must be submitted at the time such application is filed and must conform to the regulations set forth below. The items below must be submitted in an electronic format unless stated otherwise.* e) *Traffic Impact Analysis. The Traffic Impact Analysis shall be prepared in accordance with [Section 2.04\(b\)](#). However, the applicant would like to submit the necessary revised TIA along with the Phase 1 Final Plat. Otherwise, it would need to be submitted prior to approval of the MDP.*

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:

- A. Application
- B. Proposed Lewis Creek MDP



Application for Variance

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

Date: 7/7/22

Case No. _____

Applicant Information:

| | | |
|--|----------------|----------------------|
| Vantage, Inc. | (210) 549-6728 | (210) 568-2730 |
| Name | Phone | Fax |
| 20540 State Hwy 46W Suite 115-194, Spring Branch, TX 78070 | | Tom@TexasVantage.com |
| Address | | Email |

Property Owner Information:

| | | |
|---------------------------------------|----------------|--------------------|
| Even Bossier LLC | (210) 559-2697 | |
| Name | Phone | Fax |
| 7660 Fay Ave #184, La Jolla, CA 92037 | | brian@gxforged.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: 0 Old Boerne Road

Legal Description: A-281 SUR-667 C W HAAS, ACRES 270.66, A-191 SUR-464 T GOTTHARD, A-321 SUR-657 C KOCH

Zoning District Classification: R-2

Description of Request:

- Variance to Section Chapter 10 - 1.04 of the City of Bulverde Code of Ordinances, which requires: a tree survey with specific requirements be prepared and submitted with an MDP in accordance with Section 4.07(f)(i)(5). We are requesting approval to complete a tree survey for an area 120' in width along all streets, ROW's, and to include any area where construction will occur, and to be submitted along with the Phase 1 Final Plat.
- Variance to Section Chapter 10 - 1.04 of the City of Bulverde Code of Ordinances, which requires: (b)(iv) e requires a Traffic Impact Analysis to be prepared and submitted with an MDP in accordance with Section 2.04(b). We have previously submitted a TIA and due to the project reconfiguration efforts are requesting that the revised TIA be submitted along with the Phase 1 Final Plat.
- 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: _____
- 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.

[Signature] 7/7/2022
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)

Fee = \$ 750⁰⁰ x 2 = \$ 1,500⁰⁰

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 A TIA was submitted with the MDP application. The Developer is working with the area residents and the City to help mitigate traffic concerns by rerouting and reconfiguring the main entry point to the development. This reconfiguration will require a new TIA report to be completed. A new TIA report can't be completed until School is back in session and the daily traffic patterns have normalized, and that won't be until September. Unfortunately, about the same time TXDOT will also be starting the Hwy 46 expansion project, causing further challenges to completing a new report.

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

The result of the literal enforcement will require the completion of the offsite road improvement design efforts, lengthy TXDOT discussions, then waiting for a new TIA report to be completed and reviewed, and then seeking MDP approval causing a substantial delay.

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.

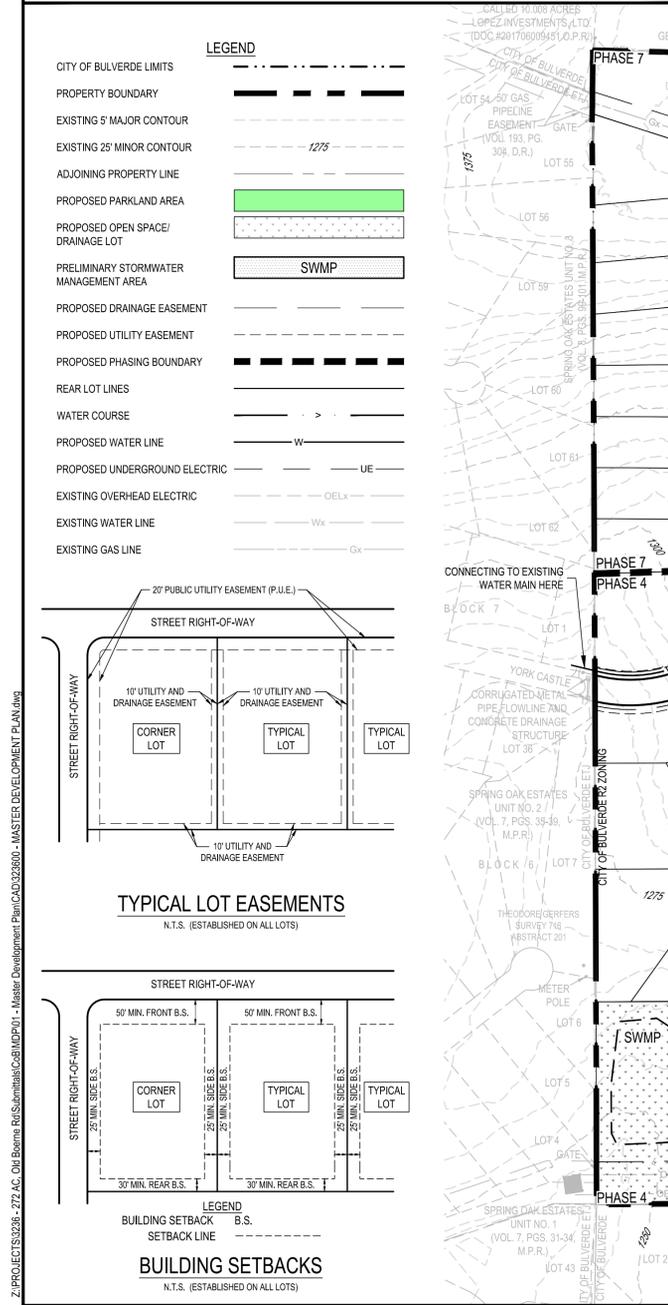
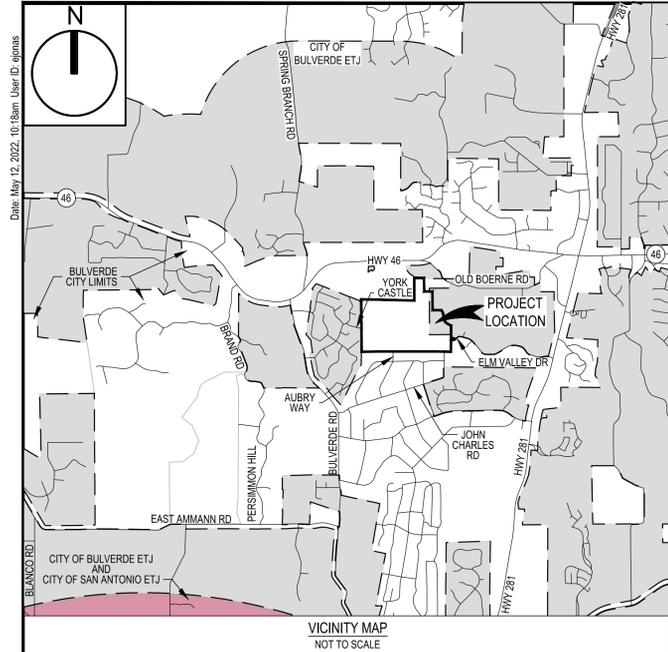
This variance will not be detrimental to the public health, safety or welfare, or injurious to other properties since it does not eliminate the need for a TIA report and the data it will provide. This will have no effect on adjacent properties now or in the future.

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?

This will have no negative effect on the orderly subdivision of other lands now or in the future.

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

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



MINIMUM COVER BELOW FINISH-GRADE FOR ALL UTILITIES UNDER ROADWAY IS 36" OR 12" BELOW SUBGRADE, WHICHEVER IS DEEPER

| | |
|--------------------|-----|
| ELECTRIC PRIMARY | 36" |
| ELECTRIC SECONDARY | 24" |
| WATER | 36" |
| WASTE WATER | 60" |
| STORM SEWER | 24" |
| GAS | 36" |
| TELECOMMUNICATIONS | 36" |

LEGAL DESCRIPTION
A 284.423 ACRE TRACT OF LAND, LOCATED IN THE CHRISTIAN W. HAAS SURVEY NO. 667, ABSTRACT 281, THE THEODORE GOTTHARD SURVEY NO. 464, ABSTRACT 191 AND THE CARL KOCH SURVEY NO. 657, ABSTRACT 321, COMAL COUNTY, TEXAS, AND BEING A CALLED 270.66 ACRE TRACT OF LAND DESCRIBED OF RECORD IN DOCUMENT NO. 202106026793, A CALLED 13.165 ACRE TRACT AS DESCRIBED OF RECORD IN DOCUMENT NO. 202106024061, BOTH OF THE OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS.

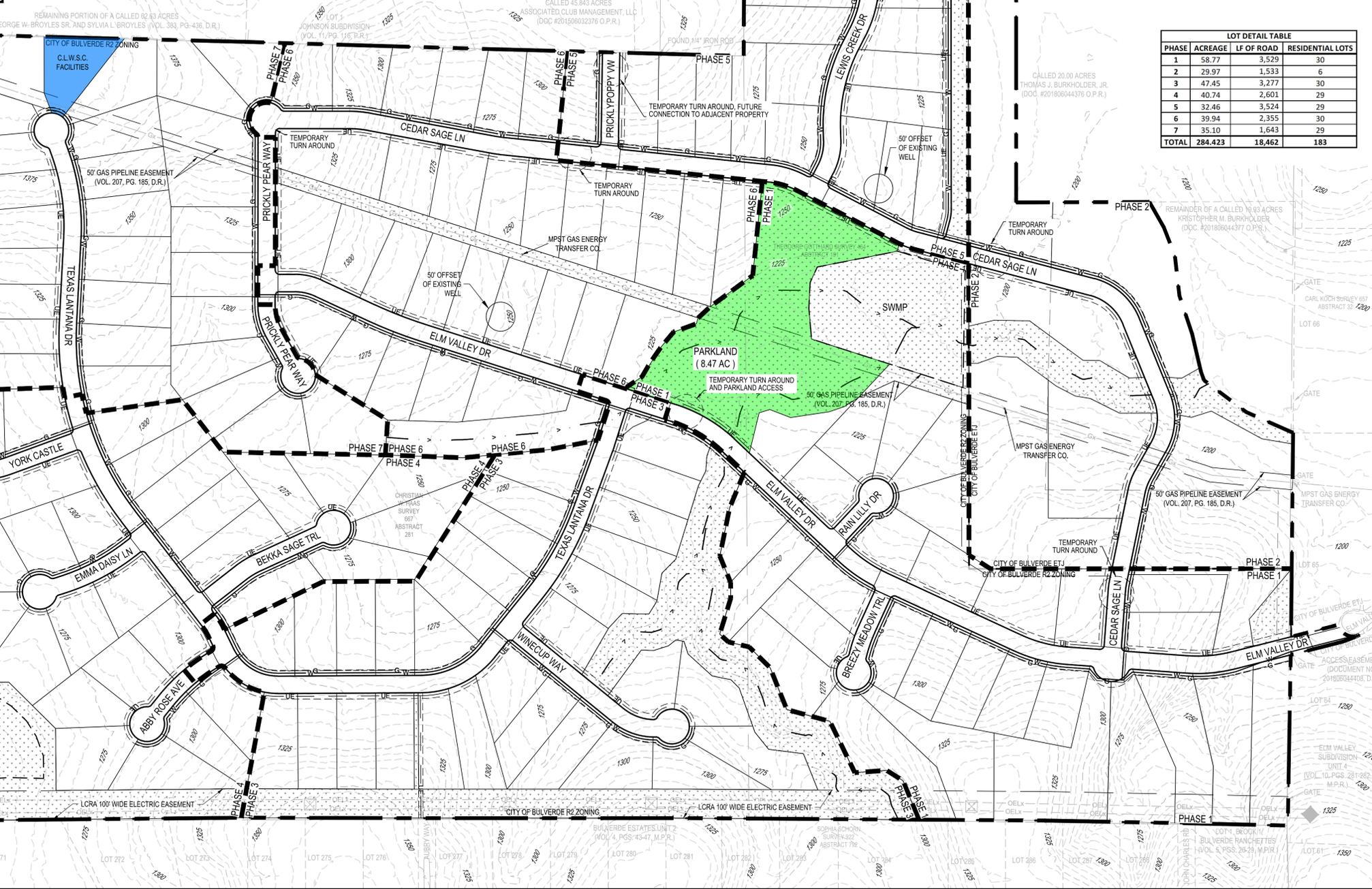
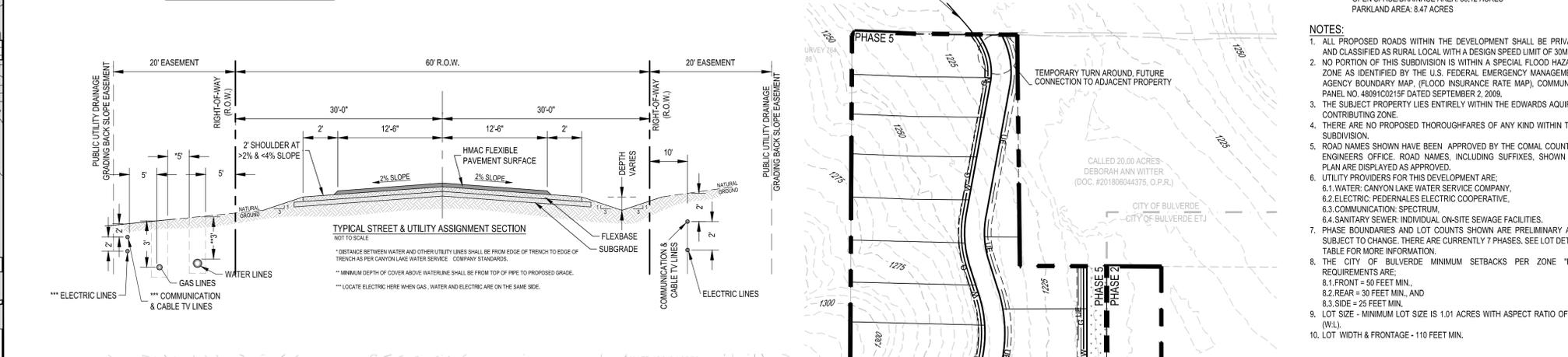
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|--------------|---|
| AVE BLVD | AVENUE |
| C.O.B. | BOULEVARD |
| O.P.R.C.C.T. | CITY OF BULVERDE OFFICIAL PUBLIC RECORDS, COMAL COUNTY, TEXAS |
| R.O.W. | RIGHT OF WAY |
| R/W | RADIUS |
| TYP. | TYPICAL |
| PT. | POINT |
| LN. | LANE |
| RD. | ROAD |
| DR. | DRIVE |
| TRL. | TRAIL |

OWNER/SUBDIVIDER:
C/O TOM HACKLEMAN, EVEN BOSSER LLC, 7660 FAY AVE #184, LA JOLLA, CA 92037

SURVEYOR:
CO KYLE L. PRESSLER, R.P.L.S., MATKIN HOOVER ENGINEERING AND SURVEYING, 8 SPENCER ROAD, SUITE 300, BOERNE, TX 78006

ENGINEER:
GARRETT D. KELLER, P.E., MATKIN HOOVER ENGINEERING AND SURVEYING, 8 SPENCER ROAD, SUITE 100, BOERNE, TX 78006

LAND USE "R-2" SUMMARY
PROPERTY AREA: 284.423 ACRES
LOT COUNT: 183 MAXIMUM
LOT SIZE: "ONE TO 5.63 ACRES" - MEDIUM DENSITY
DENSITY: 183 (LOTS) / 284.423 (ACRES) = 0.64 EDUACRE
LENGTH OF ROAD CENTERLINE (L.F.): 18,462
OPEN SPACE/DRAINAGE AREA: 36.12 ACRES
PARKLAND AREA: 8.47 ACRES



MATKIN HOOVER ENGINEERING & SURVEYING

3305 SHILL ROAD SUITE 100, BOERNE, TEXAS 78006
OFFICE: 512.868.2244
CONTACT: MATKIN@MATKINHOOVER.COM
TEXAS REGISTERED ENGINEERING FIRM F-004512 SURVEYING FIRM F-1002400

MASTER DEVELOPMENT PLAN FOR LEWIS CREEK RANCH BULVERDE, TEXAS

NOTES:

- ALL PROPOSED ROADS WITHIN THE DEVELOPMENT SHALL BE PRIVATE AND CLASSIFIED AS RURAL LOCAL WITH A DESIGN SPEED LIMIT OF 30MPH.
- NO PORTION OF THIS SUBDIVISION IS WITHIN A SPECIAL FLOOD HAZARD ZONE AS IDENTIFIED BY THE U.S. FEDERAL EMERGENCY MANAGEMENT AGENCY BOUNDARY MAP (FLOOD INSURANCE RATE MAP), COMMUNITY PANEL NO. 48091C0215F DATED SEPTEMBER 2, 2009.
- THE SUBJECT PROPERTY LIES ENTIRELY WITHIN THE EDWARDS AQUIFER CONTRIBUTING ZONE.
- THERE ARE NO PROPOSED THOROUGHFARES OF ANY KIND WITHIN THIS SUBDIVISION.
- ROAD NAMES SHOWN HAVE BEEN APPROVED BY THE COMAL COUNTY'S ENGINEERS' OFFICE. ROAD NAMES, INCLUDING SUFFIXES, SHOWN ON PLAN ARE DISPLAYED AS APPROVED.
- UTILITY PROVIDERS FOR THIS DEVELOPMENT ARE:
6.1. WATER: CANYON LAKE WATER SERVICE COMPANY.
6.2. ELECTRIC: PEDERNALES ELECTRIC COOPERATIVE.
6.3. COMMUNICATION: SPECTRUM.
6.4. SANITARY SEWER: INDIVIDUAL ON-SITE SEWAGE FACILITIES.
- PHASE BOUNDARIES AND LOT COUNTS SHOWN ARE PRELIMINARY AND SUBJECT TO CHANGE. THERE ARE CURRENTLY 7 PHASES. SEE LOT DETAIL TABLE FOR MORE INFORMATION.
- THE CITY OF BULVERDE MINIMUM SETBACKS PER ZONE "R-2" REQUIREMENTS ARE:
8.1. FRONT = 50 FEET MIN.,
8.2. REAR = 30 FEET MIN., AND
8.3. SIDE = 25 FEET MIN.
- LOT SIZE - MINIMUM LOT SIZE IS 1.01 ACRES WITH ASPECT RATIO OF 1.4 (W/L).
- LOT WIDTH & FRONTAGE - 110 FEET MIN.

REVISIONS:

| | | |
|-----|-------------|------|
| NO. | DESCRIPTION | DATE |
| | | |

JOB NO: 3236.00
DESIGNED BY: M. HUBBLE
DRAWN BY: B. YOSKO
CHECKED BY: G. KELLER
SHEET NO:



PLANNING & ZONING COMMISSION ITEM:
VR-22-13

VARIANCE

Lewis Creek Development – Tree Survey

MEETING DATE: July 14, 2022
DEPARTMENT: Planning & Development
PRESENTED BY: Susana Huerta, AICP, Planning Director

REQUEST:

Consider a request by Vantage, Inc. for a variance to Chapter 10, Subdivision Ordinance, Section 4.07 (f)(i)(5), related to Tree Survey preparation Requirements; of the City of Bulverde Code of Ordinances, on an approximately 280.42-acre tract of land, generally located at 0 Old Boerne Road.

OWNER:

Even Bossier LLC
7660 Fay Ave #184
La Jolla, CA92037

APPLICANT:

Vantage, Inc.
20540 State Hwy 46, Suite 115-194
Spring Branch, TX 78070

PROPERTY INFORMATION:

Address: 0 Old Boerne Road
Legal Description: ACRES 280.42; A-281 SUR-667 CW HAAS, A-191 SUR-464 T
GOTTHARD; A-321 SUR-657 C KOCH
Owner: Even Bossier LLC
Existing Land Use: Undeveloped
Existing Zoning: R-2, Residential District

SUMMARY:

The applicant, Vantage, Inc., intends to develop a 270.66-acre tract of land into a 183-lot single-family residential, medium density subdivision with proposed lot sizes of a minimum one acre in size located at the end of Elm Valley Drive approximately 5,807 feet west of the US Hwy 281 and Elm Valley Drive intersection. The property has 254.41 acres within the City Limits of the City of Bulverde and 30.01 acres within the ETJ.

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).

Attached is the proposed Lewis Creek Master Development Plan (MDP). The property does not benefit from a Development Agreement. While the applicant did include a tree survey in their Master Development Plan (MDP) submittal, the survey was prepared via drone using Lidar Tree acquisition, which does not comply with Chapter 10, Section 4.07 (f) (i) (5), of the City of Bulverde Code of Ordinances.

Chapter 10, Section 4.07 (f) (i) (5) of the City of Bulverde Code of Ordinances requires that tree surveys meet the below criteria:

A tree survey by a Texas licensed land surveyor locating protected, specimen, majestic and historic trees and their driplines on the site. Protected, specimen, majestic and historic trees to remain shall be clearly identified. Trees to be removed shall be identified by gray scale lines and a reason stated for the removal of such trees. Each tree shall be numbered referencing a legend specifying the caliper, common name, and whether it is protected, specimen, majestic, or historic.

The applicant is requesting a variance to the requirement of a Tree Survey at the MDP submittal stage. The applicant would like to limit the area of the tree survey to an area of 120' in width along all proposed streets, rights-of-way and to include any area where construction will occur. They would like to be able to submit the tree survey tree survey with the Phase 1 Final Plat instead of at the MDP submittal stage.

The applicant has submitted a written statement for this variance request, which is attached to this staff report. The applicant shall present their case to the City Council 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 BULVERDE CODE OF ORDINANCES THAT DO NOT INCLUDE THIS REQUESTED VARIANCE WILL BE REQUESTED IN A SEPARATE APPLICATION AND APPROVAL PROCESS.

ANALYSIS:

Under Section 1.04 (b)(iv)(d), of the Bulverde Code of Ordinances, *A person seeking approval of a Master Development Plan must file an application in the format established by the City. The items listed below must be submitted at the time such application is filed and must conform to the regulations set forth below. The items below must be submitted in an electronic format unless stated otherwise.* d) *Tree Survey.* *The tree survey shall be prepared in accordance with [Section 4.07\(f\)\(i\)\(5\)](#).* **However, the applicant would like to limit the area of the tree survey to an area of 120' in width along all proposed streets, rights-of-way and to include any area**

where construction will occur. They would like to be able to submit the tree survey tree survey with the Phase 1 Final Plat instead of at the MDP submittal stage.

PREVIOUS ACTION:

At its May 12, 2022, regular meeting, the Planning and Zoning Commission voted (5-1) with 1 commissioner abstaining to recommend denial of a variance to the MDP tree survey submittal requirements. The City Council at the June 14, 2022, regular meeting also voted to deny the variance request.

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:

- A. Application
- B. Proposed Lewis Creek MDP



Application for Variance

30360 Cougar Bend, Bulverde, TX 78163
Telephone: 830-438-3612 - Fax: 830-438-4339

www.bulverdetx.gov

Date: 7/7/22

Case No. _____

Applicant Information:

| | | |
|--|----------------|----------------------|
| Vantage, Inc. | (210) 549-6728 | (210) 568-2730 |
| Name | Phone | Fax |
| 20540 State Hwy 46W Suite 115-194, Spring Branch, TX 78070 | | Tom@TexasVantage.com |
| Address | Email | |

Property Owner Information:

| | | |
|---------------------------------------|----------------|--------------------|
| Even Bossier LLC | (210) 559-2697 | |
| Name | Phone | Fax |
| 7660 Fay Ave #184, La Jolla, CA 92037 | | brian@gxforged.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: 0 Old Boerne Road

Legal Description: A-281 SUR-667 C W HAAS, ACRES 270.66, A-191 SUR-464 T GOTTHARD, A-321 SUR-657 C KOCH

Zoning District Classification: R-2

Description of Request:

- Variance to Section Chapter 10 - 1.04 of the City of Bulverde Code of Ordinances, which requires: a tree survey with specific requirements be prepared and submitted with an MDP in accordance with Section 4.07(f)(i)(5). We are requesting approval to complete a tree survey for an area 120' in width along all streets, ROW's, and to include any area where construction will occur, and to be submitted along with the Phase 1 Final Plat.
- Variance to Section Chapter 10 - 1.04 of the City of Bulverde Code of Ordinances, which requires: (b)(iv) e) requires a Traffic Impact Analysis to be prepared and submitted with an MDP in accordance with Section 2.04(b). We have previously submitted a TIA and due to the project reconfiguration efforts are requesting that the revised TIA be submitted along with the Phase 1 Final Plat.
- 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: _____
- 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.

[Signature]
Signature of ~~Owner~~ Applicant

7/7/2022
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)

Fee = \$ 750.00 x 2 = \$ 1,500.00

VARIANCE CRITERIA EXPLANATION FORM

(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.

This code provision applies to all properties regardless of the size. This requirement puts large complex properties at a great disadvantage when going thru the planning process, as compared to smaller less complex projects. Due to the size and complexity of this project, the economic uncertainties, rising interest rates, and the fact that an approved MDP (including the provided reports, studies, and surveys) is only valid for 24 months. We are requesting that the Tree survey be required during the platting phase of Phase 1. The code provides that the P&Z "may" provide an extension, but that is not certain, and no assurances are provided in the code that if the project is delayed past the 24 month MDP lifespan that the City would still accept the original tree survey. Additionally, the tree survey cost is \$303,600 and will take approximately 7 months to complete.

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

An MDP is a necessary component to complete the entitlement process, project budgeting, seeking financing, and working thru lender and investor requirements. These steps all take time, and may take more time going into a period of economic uncertainty. If the project takes more than 24 months to progress to the next step, the MDP will expire, and all studies and survey's will also expire and be required to be redone at a great expense and therefor jeopardizing the entitlements and vested property rights.

- 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.

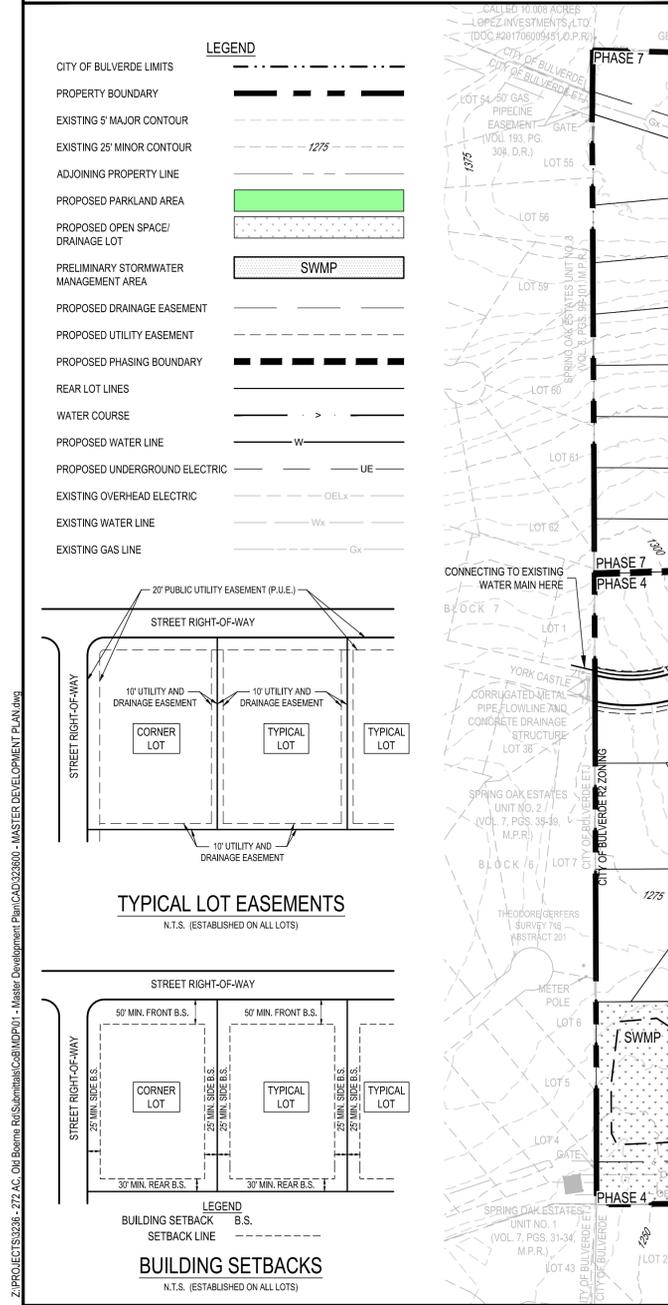
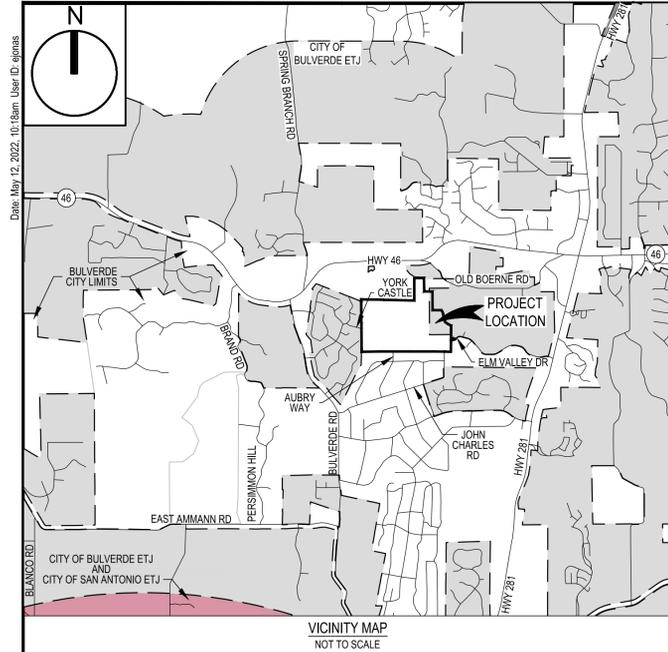
The City has existing ordinances that protects trees, those ordinances apply now and will continue to apply to the property moving forward. No construction or removal of protected trees, will be authorized to begin until the first plat is approved by the City. Providing the Tree Survey along with the Phase 1 plat application, and the approval of this variance, will not be detrimental to the public health, safety or welfare, or be injurious to other area properties.

- 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?

Providing the Tree Survey during the platting phase will have no impact on other lands in the area.

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

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



MINIMUM COVER BELOW FINISH-GRADE FOR ALL UTILITIES UNDER ROADWAY IS 36" OR 12" BELOW SUBGRADE, WHICHEVER IS DEEPER

| | |
|--------------------|-----|
| ELECTRIC PRIMARY | 36" |
| ELECTRIC SECONDARY | 24" |
| WATER | 36" |
| WASTE WATER | 60" |
| STORM SEWER | 24" |
| GAS | 36" |
| TELECOMMUNICATIONS | 36" |

LEGAL DESCRIPTION
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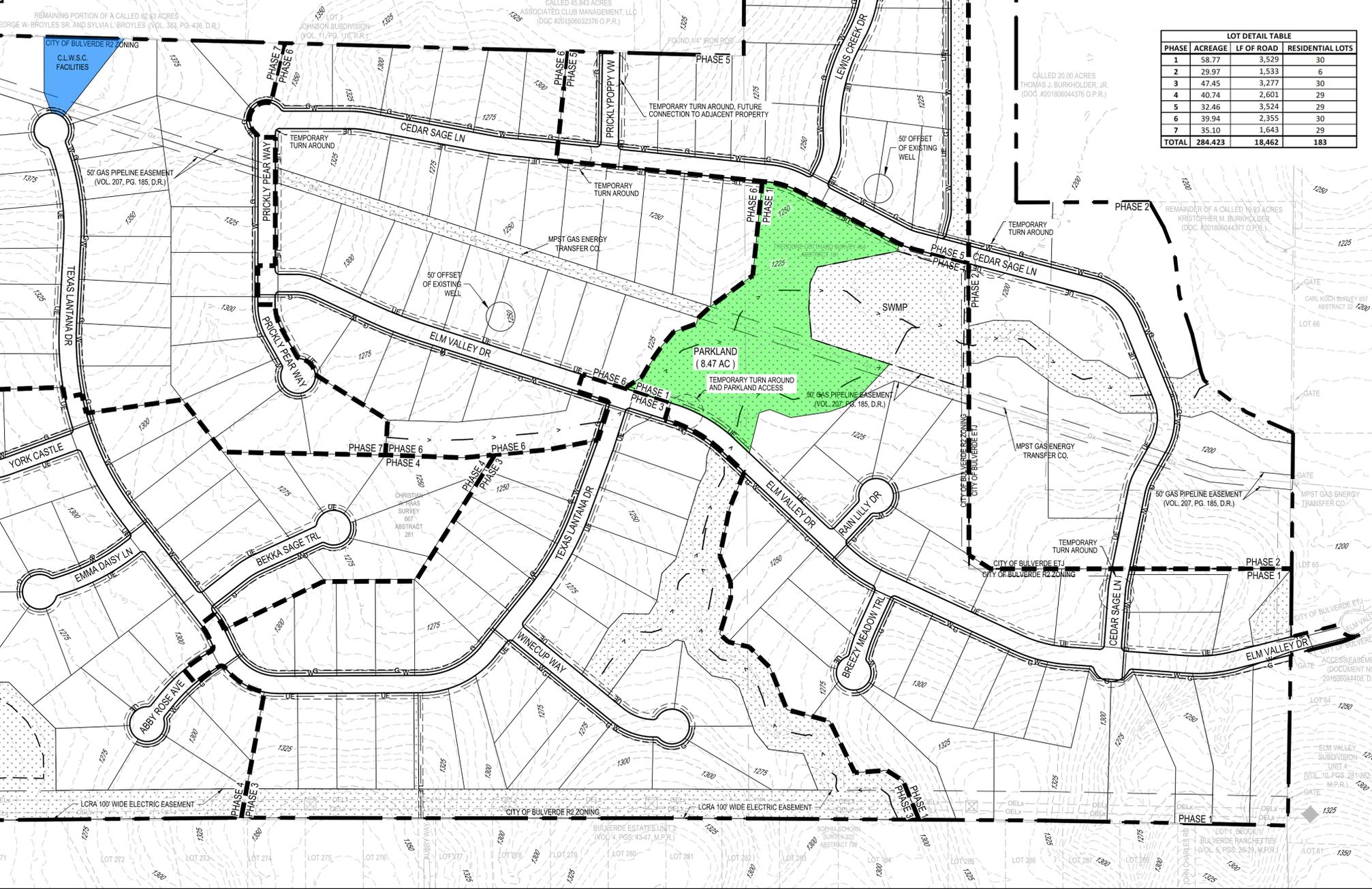
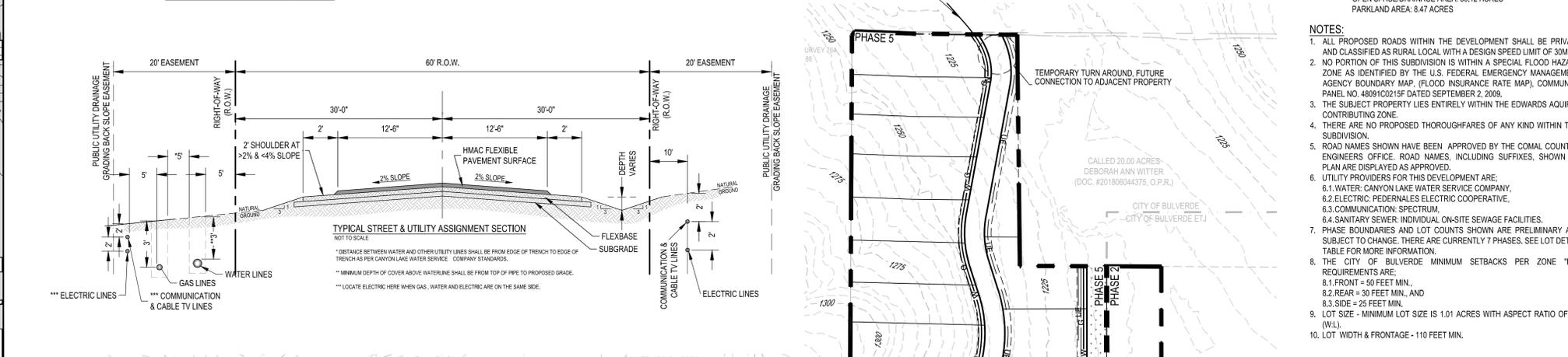
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MASTER DEVELOPMENT PLAN FOR LEWIS CREEK RANCH BULVERDE, TEXAS

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JOB NO: 3236.00
DESIGNED BY: M. HUBBLE
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SHEET NO: