



NOTICE OF MEETING
PLANNING AND ZONING COMMISSION
6:00 P.M. – August 11, 2022

30360 Cougar Bend, Bulverde, TX 78163

MEETING AGENDA

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

2) APPROVAL OF MINUTES

- a. July 14, 2022, Planning and Zoning commission meeting

3) REGULAR AGENDA ITEMS

- A. PC-22-11 (Final): Reconsider a Final Plat for the Bulverde RV Park, generally located near Heimer Lange Road and US Highway 281.
- 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): Reconsideration of a Replat for Lot 196 & 197, Oak Village North, Unit 2, located at 31227 Sunlight Drive.
- D. PC-22-26 (Final): Consideration of a Final Plat for the Preserve at Singing Hills Unit 5 Subdivision generally located at the intersection of Singing Creek and Chorus Canyon.
- E. PC-22-27 (Preliminary): Consideration a Preliminary Plat for Mitchell Tract, located at 200 Mitchell Drive. Consideration a Preliminary Plat for Mitchell Tract, located at 200 Mitchell Drive.
- F. SUP-22-05: Hold a public hearing and consider a request by Robert Valdez for approval of a Special Use Permit for a Bed and Breakfast at 810 Persimmon Hill.

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 5:00 pm on August 8, 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: July 14th, 2022

Meeting Duration: 6:00PM-7:46PM

CALL TO ORDER

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

Commission Members Absent: None

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

APPROVAL OF MINUTES

- A. June 9th, 2022 Special Planning and Zoning Commission meeting. **Chairman Sisk made a motion to approve the June 9th, 2022 meeting minutes. The motion was seconded by Commissioner Molina and passed with a 7-0 vote.**

EXECUTIVE SESSION

None

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. **Director Huerta presented the staff report and answered questions asked by the commission. After further consideration and discussion, Commissioner Hawkins made a motion to recommend approval of PC-22-17. The motion was seconded by Commissioner Molina and passed with a 7-0 vote.**

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. **Director Huerta presented the staff report and answered questions asked by the commission. Shawna Weaver with Pape-Dawson Engineers was present and answered questions asked by the commission. After further consideration and discussion, due to unresolved review comments, Commissioner Prescott made a motion to recommend denial of PC-22-18. The motion was seconded by Chairman Sisk and passed with a 7-0 vote.**

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. **Director Huerta presented the staff report and answered questions asked by the commission. After further consideration and discussion, due to unresolved comments, Chairman Sisk made a motion to recommend denial of PC-22-23. The motion was seconded by Commissioner Molina and passed with a 7-0 vote.**

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. **Director Huerta presented the staff report and answered questions asked by the commission. After further consideration and discussion, Commissioner Molina made a motion to recommend approval of PC-22-24. The motion was seconded by Commissioner Alexandre and passed with a 7-0 vote.**

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. **Director Huerta presented the staff report and answered questions asked by the commission. After further consideration and discussion, Commissioner Alexandre made a motion to recommend approval of PC-22-25. The motion was seconded by Commissioner Prescott and passed with a 7-0 vote.**

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. **Director Huerta presented the staff report and answered questions asked by the commission. After further consideration and discussion, Chairman Sisk made a motion to recommend approval of VR-22-11. The motion was seconded by Commissioner Molina and passed with a 7-0 vote.**

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. **Director Huerta presented the staff report and answered questions asked by the commission. Tom Hackleman with Vantage, Inc. was present and answered questions asked by the commission. After further consideration and discussion, Commissioner Hawkins made a motion to recommend denial of VR-22-12. The motion was seconded by Commissioner Porter, and passed with a 6-1 vote, with Commissioner Prescott voting in opposition of the motion.**

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. **Director Huerta presented the staff report and answered questions asked by the commission. Tom Hackleman with Vantage, Inc. was present and answered questions asked by the commission. After further consideration and discussion, Chairman Sisk made a motion to recommend denial of VR-22-13. The motion was seconded by Commissioner Porter and passed with a 6-1 vote, with Commissioner Prescott voting in opposition of the motion.**

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 7:46 p.m. I certify that the above minutes were approved by the Commission on August 11th, 2022.

Maria Franco, City Secretary



PLANNING AND ZONING COMMISSION ITEM:
PC-22-11
FINAL PLAT
BULVERDE RV PARK

MEETING DATE: August 11th, 2022
DEPARTMENT: Planning & Development
PRESENTED BY: Susana Huerta, AICP, Planning Director

REQUEST:

Reconsider a Final Plat for the Bulverde RV Park, generally located near Heimer Lange Road and US Highway 281.

APPLICANT:

LAPJ Proverbs III, LLC
3338 Sable Creek
San Antonio, TX 78259

PROPERTY INFORMATION:

Owner: LAPJ Proverbs III, LLC
Legal Description: BEING A TOTAL OF 24.97 ACRE TRACT OF LAND, ESTABLISHING LOT 1 AND 2 OUT OF THE SIMON FREECHILDS SURVEY NO. 75, ABSTRACT NO. 153, COMAL COUNTY, TEXAS, BEING ALL OF A CALLED 25 ACRE TRACT RECORDED IN DOCUMENT NO. 201806023352, OFFICIAL PUBLIC RECORDS, COMAL COUNTY, TEXAS.
Size: 24.97 acres, 2 lots
Existing Land Use: Undeveloped
Existing Zoning: AG w/ approved SUP for RV Park
Proposed Land-Use: RV Park

SUMMARY:

This is a proposed final plat for the Bulverde RV Park development located at 300 Heimer Lange Road, Spring Branch, TX 78070. The owner/applicant applied for a Special Use Permit for an RV park and the request was approved by City Council on April 13th, 2021. The zoning for this development is AG w/ an approved SUP for an RV Park.

ANALYSIS:

This proposed Final Plat is for approximately 24.97 acres of vacant property and establishes 2 lots.

Each lot will be served by Canyon Lake Water Service Company and on-site septic facilities, Electric Service provided by Pedernales Electric Cooperative and Telephone Services by Guadalupe Valley Telephone Cooperative, Inc.

STAFF RECOMMENDATION:

The proposed submittal has been reviewed by Halff Associates and City staff. Review comments have been addressed.

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

ATTACHMENTS:

Application

Final Plat

Review Memo



APPLICATION FOR FINAL PLAT

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

www.bulverdetx.gov

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

1. Name of Subdivision: Bulverde RV Park Unit No _____
Location Description/Nearest Intersection: 300 Heimer Lange Rd. Spring Branch, TX 78070

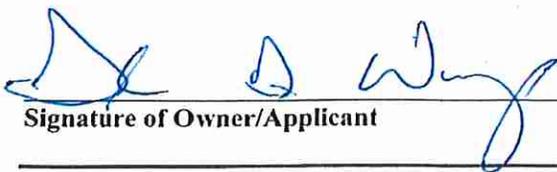
2. Owner/Applicant: LAPJ Proverbs III, LLC
Address: 3338 Sable Creek San Antonio, TX 78259 Email: glennwinship@gmail.com
Telephone: 210-410-8283 Fax: _____ Mobile: _____
Note: If applicant is person other than owner, a letter of authorization must be provided from owner.

3. Licensed Engineer/Surveyor (technical contact): KFW Engineers
Address: 3421 Paesanos Pkwy Suite 200 San Antonio, TX 78231 Email: fcorey@kfwengineers.com
Telephone: 210-979-8444 Fax: _____ Mobile: _____

4. Property Details:

City Limits:	<input checked="" type="checkbox"/> In ___ Out (ETJ)	Water Source:	<u>CLWS</u>
Commercial:	<input checked="" type="checkbox"/> Yes ___ No	Sewage Treatment:	<u>Private Septic</u>
Residential:	___ Yes ___ No	TxDOT Frontage:	___ Yes <input checked="" type="checkbox"/> No
No. of Lots:	<u>2</u>	100-Year Floodplain:	<input checked="" type="checkbox"/> Yes ___ No
Total Acreage without floodplain:	<u>17.71</u>	Edwards Aquifer Zone:	___ Recharge
Density Class:	<u>High</u>		<input checked="" type="checkbox"/> Contributing
Zoning Class:	<u>AG (SUP)</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

4-11-2022

Date

Fees and Submittal Dates on Page 2

Fees:

Final Plats

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

Traffic Impact Analysis (TIA) Review

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

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)

Subdivision Improvement Construction Plan Review

- \$2500

Subdivision Improvement Construction Inspection

- \$50 + \$2.00/LF of each infrastructure improvement to be inspected

Subdivision Improvement Construction Deposit for Multiple Inspections

- \$50 + \$2.00/LF of each infrastructure improvement to be inspected

SUBMITTAL DATES: NOVEMBER 2021 – DECEMBER 2022

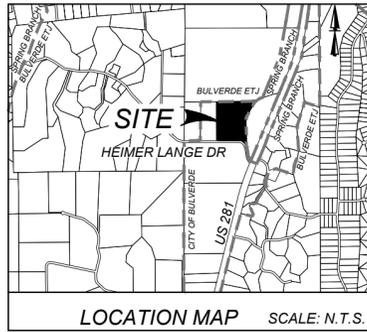
Planning & Zoning Meeting	City Council Meeting	Submittal Date
NOVEMBER 10, 2021	DECEMBER 14, 2021	OCTOBER 12, 2021
DECEMBER 9, 2021	JANUARY 11, 2022	NOVEMBER 9, 2021
JANUARY 13, 2022	FEBRUARY 8, 2022	DECEMBER 14, 2021
FEBRUARY 10, 2022	MARCH 8, 2022	JANUARY 11, 2022
MARCH 10, 2022	APRIL 12, 2022	FEBRUARY 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



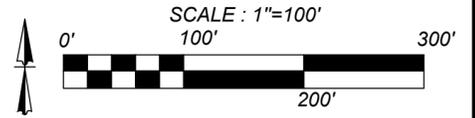
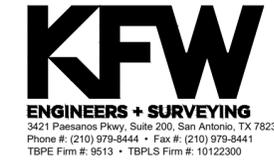
Planning and Development Final Plat Application Checklist

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
- A digital copy of the Final Plat
- A check or money order for the platting fee, review fee and other required fees.
 - Plat Application & Review Fee
 - SWMP Review Fee
 - TIA Fee
 - SICP Fee
- A digital copy of the Final Utility Layout showing all proposed utilities and easements
- A digital copy of the Final Traffic Impact Analysis
- A digital copy of construction cost projections for improvements required herein. Cost projections prepared without complete and approved construction plans shall include at a minimum a 10% design phase contingency and a 15% construction contingency.
- A digital copy of the approved Floodplain Development Permit from Comal County if subdivision includes property within the ETJ.
- A digital copy of the Final Drainage Study
- A digital copy of the recorded deed
- A digital copy of each letter approving the Final Plat reviewed by all utilities that will provide service to the proposed subdivision and all entities with regulatory authority pertaining to the proposed subdivision including but not limited to the following.
 - Electric Utility
 - Gas Utility
 - Public Water System
 - Telephone Utility
 - Cable TV Utility
 - TxDOT
 - TCEQ
 - Other agencies or entities having jurisdiction
- A digital copy of Performance Bond or Letter of Credit (if applicable)
- 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
- A digital copy of other applicable legal documents including deed restrictions, homeowner's association documents, etc.
- A digital copy of Verification of closure of the outer boundary of the plat



**SUBDIVISION PLAT ESTABLISHING
BULVERDE RV PARK**
BEING A TOTAL OF 24.97 ACRE TRACT OF LAND, ESTABLISHING LOT 1 AND 2 OUT OF THE SIMON FREECHILDS SURVEY NO. 75, ABSTRACT NO. 153, COMAL COUNTY, TEXAS, BEING ALL OF A CALLED 25-ACRE TRACT RECORDED IN DOCUMENT NO. 2018/023352, OFFICIAL PUBLIC RECORDS, COMAL COUNTY, TEXAS.



LEGEND

○ F.I.R. = FOUND 1/2" IRON ROD, AS NOTED	---1070--- = EXISTING CONTOURS
● S.I.R. = SET 1/2" IRON ROD WITH A BLUE CAP	— — — = PROPERTY LINE
STAMPED "KFW SURVEYING"	--- --- = CITY LIMITS
R.O.W. = RIGHT-OF-WAY	ξ = CENTERLINE
O.P.R. = OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS	VOL. = VOLUME
O.R. = OFFICIAL RECORDS OF COMAL COUNTY, TEXAS	PG. = PAGE
D.R. = DEED RECORDS OF COMAL COUNTY, TEXAS	N.T.S. = NOT TO SCALE
	ELEC. = ELECTRIC
	TELE. = TELEPHONE
	CATV = CABLE AND TELEVISION

SEE SHEET 2 OF 2 FOR LINE AND CURVE TABLE

E&W, LLC
CALLED 11.48 ACRES
DOC. NO. 200306043020, O.P.R.
RECORDED 11/17/2003

LIENHOLDER ACKNOWLEDGEMENT
I, WE, CROCKETT NATIONAL BANK, OWNER(S) AND HOLDER(S) OF A LIEN AGAINST THE PROPERTY DESCRIBED IN THE PLAT KNOWN AS BULVERDE RV PARK, SAID LIEN BEING EVIDENCED BY INSTRUMENT OF RECORD IN DOCUMENT NO. 202106028274, OF THE OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS, DO HEREBY IN ALL THINGS SUBORDINATE SAID LIEN TO SAID PLAT, AND HEREBY CONFIRM THAT I AM WE ARE THE PRESENT OWNER(S) OF SAID LIEN AND HAVE NOT ASSIGNED THE SAME OR ANY PART THEREOF.

I, WE ACKNOWLEDGE THAT A FORECLOSURE OF SAID LIEN WILL REQUIRE THE PREPARATION OF A SUBDIVISION PLAT IF THE FORECLOSURE RESULTS IN A DIVISION OF A TRACT OF LAND, PURSUANT TO APPLICABLE STATE, COUNTY, AND MUNICIPAL REGULATIONS. I, WE ALSO ACKNOWLEDGE THAT THE FORECLOSED TRACT MAY NOT COMPLY WITH APPLICABLE SUBDIVISION REGULATIONS WITHOUT SIGNIFICANT MODIFICATION, ADDITIONAL ACCESS, OR OTHER REQUIREMENTS.

BY: _____
(LIENHOLDER SIGNATURE)

(NAME AND TITLE, PRINTED)

STATE OF TEXAS
COUNTY OF COMAL

SWORN TO AND SUBSCRIBED BEFORE BY _____ ON THE _____ DAY OF _____, 20____

(NOTARY)

LINEHOLDER: CROCKETT NATIONAL BANK
8018 BROADWAY ST
SAN ANTONIO, TX 78209
DOCUMENT NO. 202106028274

(PRINTED NAME)

STATE OF TEXAS
COUNTY OF BEXAR

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

FRANK D. COREY, P.E.
LICENSED PROFESSIONAL ENGINEER NO. 103068
KFW ENGINEERS & SURVEYING, LLC
3421 PAESANOS PKWY, SUITE 200
SAN ANTONIO, TEXAS 78231
PHONE: 210-979-8444
FAX: 210-979-8441

STATE OF TEXAS
COUNTY OF BEXAR

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

TIM C. PAPPAS, TPAPPAS@KFWENGINEERS.COM
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5543
KFW SURVEYING, LLC
3421 PAESANOS PKWY, SUITE 100
SAN ANTONIO, TEXAS 78231
PHONE: 210-979-8444
FAX: 210-979-8441

S11° 55' 57"W 4717.94'
TO S.W. CORNER OF SIMON
FREECHILDS SURVEY NUMBER 75,
ABSTRACT 153

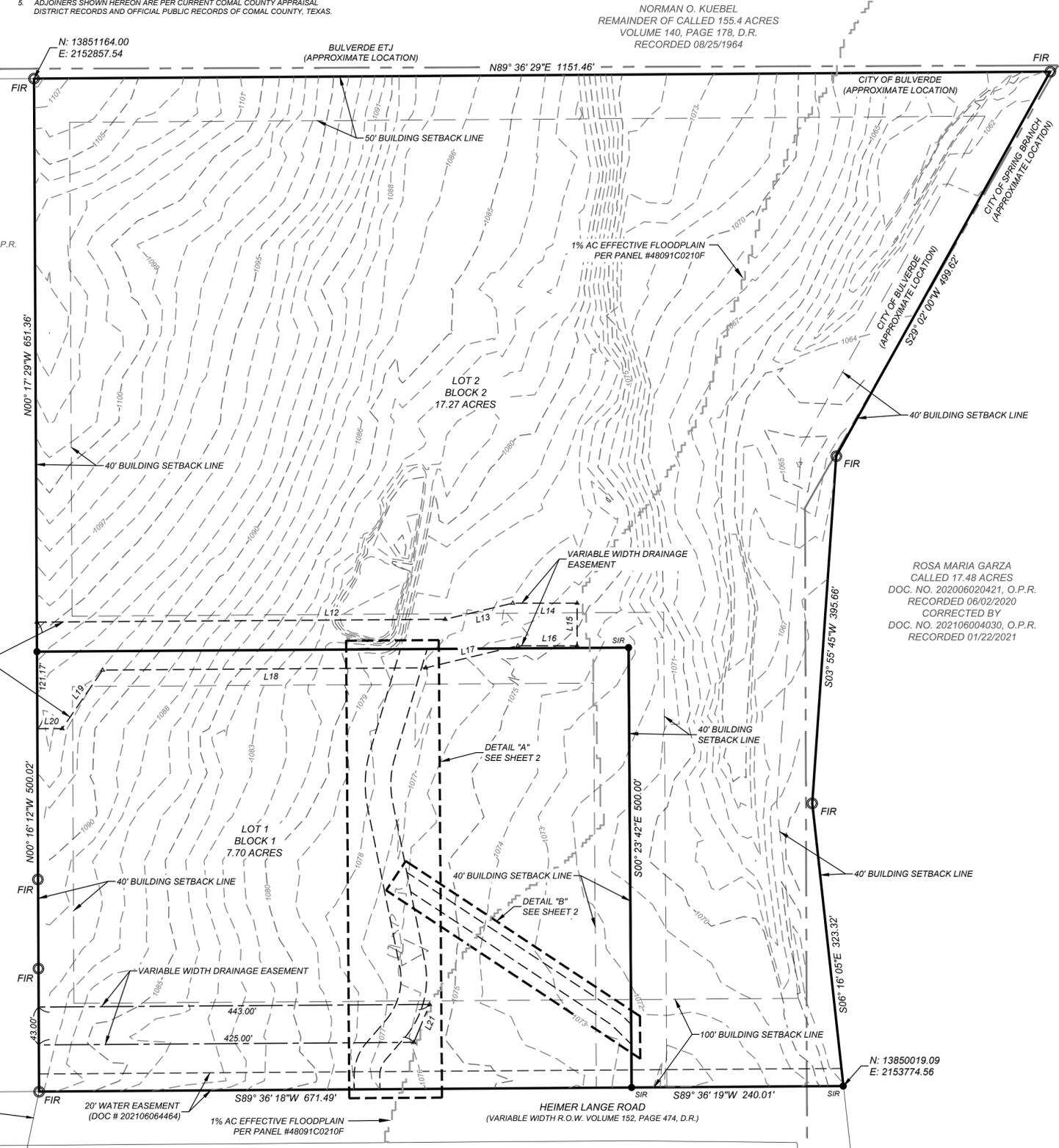
NOTES:
1. NO STRUCTURE, FENCES, WALLS OR OTHER OBSTRUCTIONS THAT IMPEDE DRAINAGE SHALL BE PLACED WITHIN THE LIMITS OF THE DRAINAGE EASEMENTS SHOWN ON THIS PLAT. NO LANDSCAPING OR OTHER TYPE OF MODIFICATIONS, WHICH ALTER THE CROSS-SECTIONS OF THE DRAINAGE EASEMENT, AS APPROVED, SHALL BE ALLOWED WITHOUT THE APPROVAL OF THE CITY ENGINEER, THE CITY OF SPRING BRANCH AND CITY OF BULVERDE HALL. HAVE THE RIGHT TO INGRESS AND EGRESS OVER GRANTOR'S ADJACENT PROPERTY TO REMOVE ANY IMPEDING OBSTRUCTIONS PLACED WITHIN THE LIMITS OF SAID DRAINAGE EASEMENTS AND TO MAKE ANY MODIFICATIONS OR IMPROVEMENTS WITHIN SAID DRAINAGE EASEMENTS. ALL SAID DRAINAGE EASEMENTS WITHIN SAID LOTS SHALL BE PRIVATELY MAINTAINED BY PROPERTY OWNERS.
2. A PORTION OF THE FEMA 1% ANNUAL CHANCE (100-YEAR) FLOODPLAIN EXISTS WITHIN THIS PLAT AS VERIFIED BY FEMA MAP PANEL: 48091C0210F, EFFECTIVE 9/2/2009. FLOODPLAIN INFORMATION IS SUBJECT TO CHANGE AS A RESULT OF FUTURE FEMA MAP REVISIONS AND/OR AMENDMENTS.

SURVEYOR NOTES:
1. 1/2" DIAMETER REBAR WITH A BLUE PLASTIC CAP STAMPED "KFW SURVEYING" SET AT ALL CORNERS UNLESS NOTED OTHERWISE.
2. BEARINGS ARE BASED ON THE STATE PLANE COORDINATE SYSTEM ESTABLISHED FOR THE TEXAS SOUTH CENTRAL ZONE 4204, NORTH AMERICAN DATUM (NAD) OF 1983.
3. THE COORDINATES SHOWN HEREON ARE GRID WITH A COMBINED SCALE FACTOR OF 1.000147069.
4. THE ELEVATIONS FOR THIS SURVEY ARE BASED ON NAVD88 (GEOID12).
5. ADJOINERS SHOWN HEREON ARE PER CURRENT COMAL COUNTY APPRAISAL DISTRICT RECORDS AND OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS.

MAINTENANCE NOTE:
THE MAINTENANCE OF ALL PRIVATE STREETS, OPEN SPACE, GREENBELTS, PARKS, TREE SAVE AREAS, DRAINAGE EASEMENTS AND EASEMENTS OF ANY OTHER NATURE WITHIN THIS SUBDIVISION SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNERS OR THE PROPERTY OWNERS' ASSOCIATION, OR ITS SUCCESSORS OR ASSIGNS AND NOT THE RESPONSIBILITY OF THE CITY OF SPRING BRANCH, THE CITY OF BULVERDE, OR COMAL COUNTY.

SLOPE EASEMENT:
FOR THE PURPOSE OF PRESERVING AREAS HAVING A SLOPE GREATER THAN 25%, THE EASEMENTS DESIGNATED ON THIS PLAT AS "SLOPE EASEMENT" ARE DEDICATED TO THE PUBLIC. WITHIN SUCH SLOPE EASEMENTS THE FOLLOWING ACTIVITIES ARE PROHIBITED:
(A) DEVELOPMENT;
(B) DISTURBANCE; AND
(C) THE REMOVAL OF PROTECTED, SPECIMEN, MAJESTIC, OR HISTORIC TREES

CITY OF BULVERDE NOTES:
1. THIS PLAT WAS PREPARED ON JUNE 20, 2022.
2. THIS PROPERTY DOES NOT LIE WITHIN THE EDWARDS AQUIFER RECHARGE ZONE.
3. PLATTING LOT 1 AND LOT 2, BEING 24.97 ACRES.
4. THIS PROPERTY WILL BE SERVED BY THE FOLLOWING:
ELECTRIC - PEDERNALES ELECTRIC COOPERATIVE
TELEPHONE - GUADALUPE VALLEY TELEPHONE COMPANY
WATER - CANYON LAKE WATER SUPPLY COMPANY
SEWER - PRIVATE SEPTIC SYSTEM
5. THIS PLAT WILL HAVE NO MORE THAN 20 PERCENT IMPERVIOUS COVER



ROSA MARIA GARZA
CALLED 17.48 ACRES
DOC. NO. 202006020421, O.P.R.
RECORDED 06/02/2020
CORRECTED BY
DOC. NO. 202106004030, O.P.R.
RECORDED 01/22/2021

STATE OF TEXAS
COUNTY OF COMAL

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:
LAPJ PROVERBS III, LLC
ATTN: GLENN WINSHIP
3338 SABLE CREEK
SAN ANTONIO, TEXAS 7859

STATE OF TEXAS
COUNTY OF COMAL

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED GLENN WINSHIP, 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. _____

NOTARY PUBLIC COMAL COUNTY TEXAS

THIS PLAT OF BULVERDE RV PARK HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF BULVERDE, TEXAS, AND IS HEREBY APPROVED BY SUCH COMMISSION IN ACCORDANCE WITH STATE OR LOCAL LAWS AND REGULATIONS, AND/OR WHERE ADMINISTRATIVE EXCEPTION(S) AND/OR VARIANCE(S) HAVE BEEN GRANTED.

DATED THIS _____ DAY OF _____ A.D. 20____

BY: _____
CHAIRMAN

BY: _____
SECRETARY

THIS REPLAT OF BULVERDE RV PARK 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.

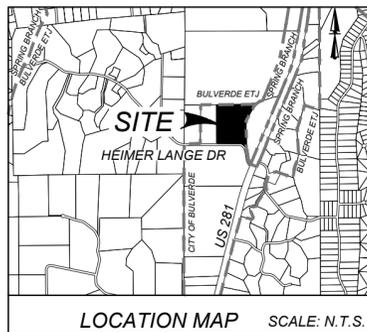
DATED THE _____ DAY OF _____ A.D. 20____

PLANNING DIRECTOR

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. 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____

COMAL CLERK
COMAL COUNTY, TEXAS
BY: _____
DEPUTY



- LEGEND**
- F.I.R. = FOUND 1/2" IRON ROD, AS NOTED
 - S.I.R. = SET 1/2" IRON ROD WITH A BLUE CAP
 - STAMPED "KFW SURVEYING"
 - R.O.W. = RIGHT-OF-WAY
 - O.P.R. = OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS
 - O.R. = OFFICIAL RECORDS OF COMAL COUNTY, TEXAS
 - D.R. = DEED RECORDS OF COMAL COUNTY, TEXAS
 - 1070--- = EXISTING CONTOURS
 - = PROPERTY LINE
 - ε = CENTERLINE
 - VOL. = VOLUME
 - PG. = PAGE
 - N.T.S. = NOT TO SCALE
 - ELEC. = ELECTRIC
 - TELE. = TELEPHONE
 - CATV = CABLE AND TELEVISION

LIENHOLDER ACKNOWLEDGEMENT
 I, WE, CROCKETT NATIONAL BANK, OWNER(S) AND HOLDER(S) OF A LIEN AGAINST THE PROPERTY DESCRIBED IN THE PLAT KNOWN AS BULVERDE RV PARK, SAID LIEN BEING EVIDENCED BY INSTRUMENT OF RECORD IN DOCUMENT NO. 202106028274, OF THE OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS, DO HEREBY IN ALL THINGS SUBORDINATE SAID LIEN TO SAID PLAT, AND HEREBY CONFIRM THAT I AM WE ARE THE PRESENT OWNER(S) OF SAID LIEN AND HAVE NOT ASSIGNED THE SAME OR ANY PART THEREOF.

I, WE ACKNOWLEDGE THAT A FORECLOSURE OF SAID LIEN WILL REQUIRE THE PREPARATION OF A SUBDIVISION PLAT IF THE FORECLOSURE RESULTS IN A DIVISION OF A TRACT OF LAND, PURSUANT TO APPLICABLE STATE, COUNTY, AND MUNICIPAL REGULATIONS. I, WE ALSO ACKNOWLEDGE THAT THE FORECLOSED TRACT MAY NOT COMPLY WITH APPLICABLE SUBDIVISION REGULATIONS WITHOUT SIGNIFICANT MODIFICATION, ADDITIONAL ACCESS, OR OTHER REQUIREMENTS.

BY: _____
 (LIENHOLDER SIGNATURE)

 (NAME AND TITLE, PRINTED)

STATE OF TEXAS
 COUNTY OF COMAL

SWORN TO AND SUBSCRIBED BEFORE ME, _____ ON THE _____ DAY OF _____, 20____.

 (NOTARY)

LINEHOLDER: CROCKETT NATIONAL BANK
 8018 BROADWAY ST
 SAN ANTONIO, TX 78209
 DOCUMENT NO. 202106028274

 (PRINTED NAME)

STATE OF TEXAS
 COUNTY OF BEXAR

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

FRANK D. COREY, P.E.
 LICENSED PROFESSIONAL ENGINEER NO. 103068
 KFW ENGINEERS & SURVEYING, LLC
 3421 PAESANOS PKWY, SUITE 200
 SAN ANTONIO, TEXAS 78231
 PHONE: 210-979-8444
 FAX: 210-979-8441

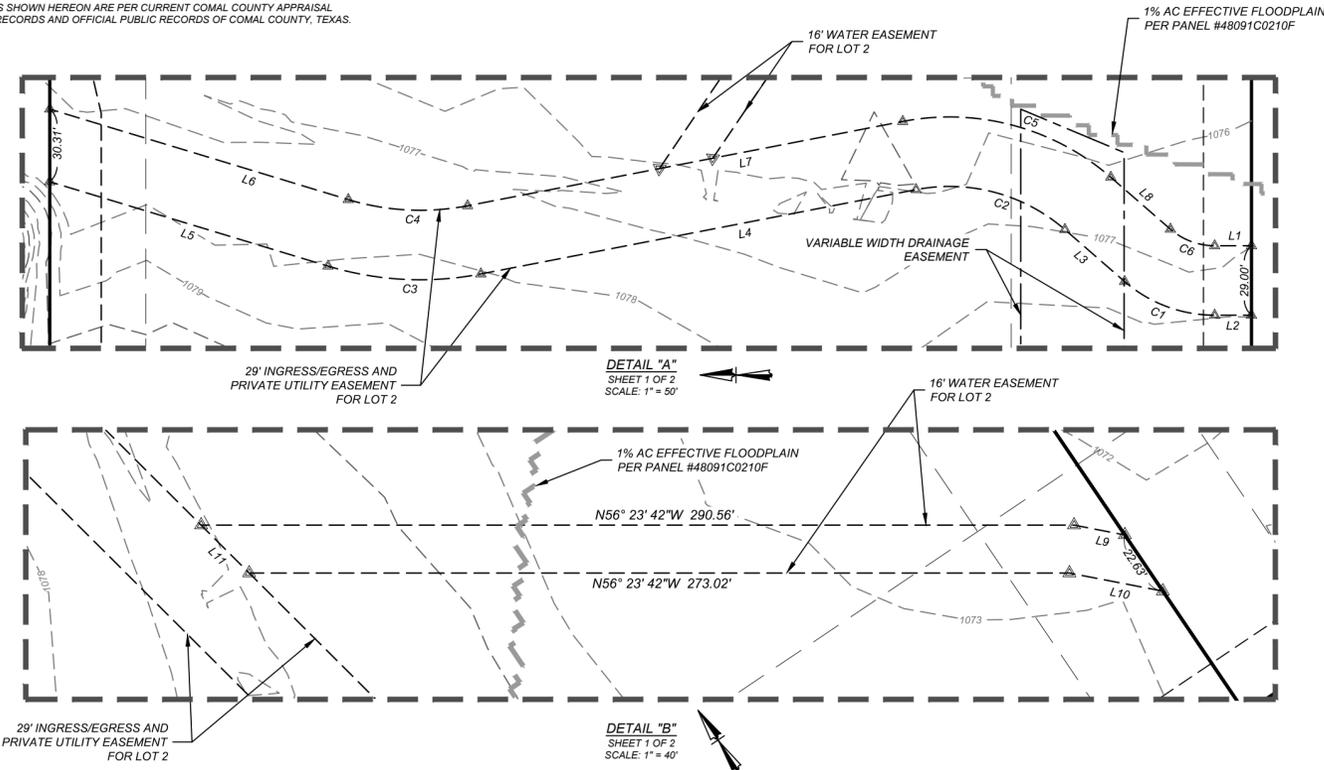
STATE OF TEXAS
 COUNTY OF BEXAR

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

TIM C. PAPPAS, TPAPPAS@KFWENGINEERS.COM
 REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5543
 KFW SURVEYING, LLC
 3421 PAESANOS PKWY, SUITE 100
 SAN ANTONIO, TEXAS 78231
 PHONE: 210-979-8444
 FAX: 210-979-8441

- NOTES:**
- NO STRUCTURE, FENCES, WALLS OR OTHER OBSTRUCTIONS THAT IMPEDE DRAINAGE SHALL BE PLACED WITHIN THE LIMITS OF THE DRAINAGE EASEMENTS SHOWN ON THIS PLAT. NO LANDSCAPING OR OTHER TYPE OF MODIFICATIONS, WHICH ALTER THE CROSS-SECTIONS OF THE DRAINAGE EASEMENT, AS APPROVED, SHALL BE ALLOWED WITHOUT THE APPROVAL OF THE CITY ENGINEER, THE CITY OF SPRING BRANCH AND CITY OF BULVERDE HALL HAVE THE RIGHT TO INGRESS AND EGRESS OVER GRANTOR'S ADJACENT PROPERTY TO REMOVE ANY IMPEDING OBSTRUCTIONS PLACED WITHIN THE LIMITS OF SAID DRAINAGE EASEMENTS AND TO MAKE ANY MODIFICATIONS OR IMPROVEMENTS WITHIN SAID DRAINAGE EASEMENTS. ALL SAID DRAINAGE EASEMENTS WITHIN SAID LOTS SHALL BE PRIVATELY MAINTAINED BY PROPERTY OWNERS.
 - PORTION OF THE FEMA 1% ANNUAL CHANCE (100-YEAR) FLOODPLAIN EXISTS WITHIN THIS PLAT AS VERIFIED BY FEMA MAP PANEL: 48091C0210F, EFFECTIVE 9/2/2009. FLOODPLAIN INFORMATION IS SUBJECT TO CHANGE AS A RESULT OF FUTURE FEMA MAP REVISIONS AND/OR AMENDMENTS.
- MAINTENANCE NOTE:**
 THE MAINTENANCE OF ALL PRIVATE STREETS, OPEN SPACE, GREENBELTS, PARKS, TREE SAVE AREAS, DRAINAGE EASEMENTS AND EASEMENTS OF ANY OTHER NATURE WITHIN THIS SUBDIVISION SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNERS, OR THE PROPERTY OWNERS' ASSOCIATION, OR ITS SUCCESSORS OR ASSIGNS AND NOT THE RESPONSIBILITY OF THE CITY OF SPRING BRANCH, THE CITY OF BULVERDE, OR COMAL COUNTY.
- SLOPE EASEMENT:**
 FOR THE PURPOSE OF PRESERVING AREAS HAVING A SLOPE GREATER THAN 25%, THE EASEMENTS DESIGNATED ON THIS PLAT AS "SLOPE EASEMENT" ARE DEDICATED TO THE PUBLIC. WITHIN SUCH SLOPE EASEMENTS THE FOLLOWING ACTIVITIES ARE PROHIBITED:
 (A) DEVELOPMENT;
 (B) DISTURBANCE; AND
 (C) THE REMOVAL OF PROTECTED, SPECIMEN, MAJESTIC, OR HISTORIC TREES

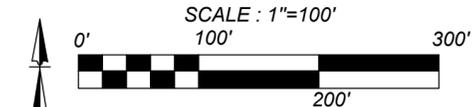
- CITY OF BULVERDE NOTES:**
- THIS PLAT WAS PREPARED ON JUNE 20, 2022.
 - THIS PROPERTY DOES NOT LIE WITHIN THE EDWARDS AQUIFER RECHARGE ZONE.
 - PLATTING LOT 1 AND LOT 2, BEING 24.97 ACRES.
 - THIS PROPERTY WILL BE SERVED BY THE FOLLOWING:
 ELECTRIC - FEDERALES ELECTRIC COOPERATIVE
 TELEPHONE - GUADALUPE VALLEY TELEPHONE COMPANY
 WATER - CANYON LAKE WATER SUPPLY COMPANY
 SEWER - PRIVATE SEPTIC SYSTEM
 - THIS PLAT WILL HAVE NO MORE THAN 20 PERCENT IMPERVIOUS COVER



Line #	LENGTH	DIRECTION
L1	15.33'	N00°23'42"W
L2	15.33'	N00°23'42"W
L3	32.96'	N40°43'41"E
L4	184.44'	N11°23'42"W
L5	121.02'	N16°31'11"E
L6	129.83'	N16°31'11"E
L7	184.44'	N11°23'42"W
L8	32.96'	N40°43'41"E
L9	17.24'	N45°23'42"W
L10	31.70'	N45°23'42"W
L11	22.63'	N11°23'42"W

Line #	LENGTH	DIRECTION
L12	462.72'	S89°36'22"W
L13	78.83'	S76°31'11"W
L14	72.90'	N89°58'22"W
L15	48.50'	N00°01'38"E
L16	67.16'	S89°58'22"E
L17	107.43'	N76°31'11"E
L18	366.03'	N89°36'31"E
L19	80.85'	N34°36'06"E
L20	28.10'	N89°43'48"E
L21	46.65'	S22°25'32"W

Curve #	LENGTH	RADIUS	DELTA	CHORD BRG	CHORD DIST
C1	40.91'	57.00'	041°07'22"	N20°10'00"E	40.04'
C2	66.41'	73.00'	052°07'22"	N14°40'00"E	64.14'
C3	64.31'	132.00'	027°54'52"	N02°33'45"E	63.68'
C4	50.18'	103.00'	027°54'52"	N02°33'45"E	49.69'
C5	92.79'	102.00'	052°07'22"	N14°40'00"E	89.62'
C6	20.10'	28.00'	041°07'22"	N20°10'00"E	19.67'



STATE OF TEXAS
 COUNTY OF COMAL

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:
 LAPJ PROVERBS III, LLC
 ATTN: GLENN WINSHIP
 3338 SABLE CREEK
 SAN ANTONIO, TEXAS 7859

STATE OF TEXAS
 COUNTY OF COMAL

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED GLENN WINSHIP, 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. _____

NOTARY PUBLIC _____ COMAL COUNTY TEXAS

THIS PLAT OF BULVERDE RV PARK HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF BULVERDE, TEXAS, AND IS HEREBY APPROVED BY SUCH COMMISSION IN ACCORDANCE WITH STATE OR LOCAL LAWS AND REGULATIONS, AND/OR WHERE ADMINISTRATIVE EXCEPTION(S) AND/OR VARIANCE(S) HAVE BEEN GRANTED.

DATED THIS _____ DAY OF _____, A.D. 20____.

BY: _____
 CHAIRMAN

BY: _____
 SECRETARY

THIS REPLAT OF BULVERDE RV PARK 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 _____, A.D. 20____.

PLANNING DIRECTOR _____

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. IN THE RECORDS OF MAPS AND PLATS IN SAID COUNTY, IN DOCUMENT # _____ IN TESTIMONY WHEREOF WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS _____ DAY OF _____, A.D. 20____.

COMAL CLERK
 COMAL COUNTY, TEXAS

BY: _____
 DEPUTY

REVIEW MEMORANDUM

TO: Frank Corey
KFW Engineers
3421 Paesanos Pkwy, Suite 200
San Antonio, Texas 78231

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

SUBJECT: Bulverde RV Park Plat Acceptance
PC-22-11

DATE: August 8, 2022

Half Associates, on behalf of the City of Bulverde, has performed a review on Bulverde RV Park Subdivision Plat resubmittal package, dated August 8, 2022. The review was conducted relative to the requirements established in the current Subdivision Ordinance of the City of Bulverde and Bulverde Drainage Manual.

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 of the plat as presented.

Plat specifications, Ordinance Section 1.05(b)

1. Plat should be labeled "Subdivision Plat" not "Development Plat." – **Comment resolved.**
2. Provide Lienholder address and certification on plat. – **Comment resolved.**
3. Provide Planning Director signature block similar to: – **Comment resolved.**

THIS REPLAT 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 REPLAT WITHIN THE TIME PERIOD PRESCRIBED BY CHAPTER 214, TEXAS LOCAL GOVERNMENT CODE.

DATED THE _____ DAY OF _____, 20__

PLANNING DIRECTOR

4. Provide County Clerk signature block similar to: – **Comment resolved.**

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

5. Label lots with "Lot 1, Block 1" and "Lot 2, Block 2." – [Comment resolved](#).
6. Provide bearing and distance dimension from a corner of the subdivision to a corner of the original tract or original survey. – [Comment resolved](#).
7. Building setback lines must be shown per section 2.03(c) of the subdivision ordinance. – [Comment resolved](#).
8. Show City limits lines on vicinity map and plat. – [Comment resolved](#).
9. Plat Note #2 states that there is no FEMA floodplain on-site. Correct this. – [Comment resolved](#).
10. Surveyor Note #5 should reference Comal County. – [Comment resolved](#).
11. Provide Slope Map and any applicable easements required by Section 1.05(b)(ii)(24) and Section 4.04. – [Comment resolved](#).
12. Add note to plat stating maximum impervious cover, matching TCEQ approval letter. – [Comment resolved](#).
13. Access easement required if the only point of access for Lot 2 is through Lot 1. – [Comment resolved](#).

Plat Supporting Documents, Ordinance Section 1.04(c)

Utilities (reviewed portion of submitted Bulverde RV Park Plans, since separate utility plan was not submitted)

14. Are there any existing wells on-site? If so, they need to be indicated on the plan and marked to be plugged. – [Comment resolved](#).
15. Provide dimensions clarifying spacing between water/sewer lines.
16. Show approximate electric site layout. – [Comment resolved](#).
17. Water Service required to each newly created lot. Currently Lot 2 only has water service from the internal private line. – [Comment resolved](#).
18. Provide Water Study showing waterline configuration meets domestic and fire flow needs for entire site. – [Comment resolved](#).
19. Fire Hydrants required throughout site to provide coverage to RV slots throughout development. – [Comment resolved](#).
20. Provide Sewer/OSSF information. Confirm density of 153 units + amenity building is serviceable with OSSF on 24.97 acres. – [Comment resolved](#).
21. Note: Underground OSSF facilities not permitted within FEMA Floodplain. – [Comment resolved](#).

Traffic Impact Analysis Worksheet – No commentsDrainage Analysis

22. Per chapter 7 of the Bulverde Drainage Manual, on-site detention shall be provided for runoff control from new development. The peak-on-peak analysis submitted is not adequate justify not meeting this requirement. You must show that providing detention will cause adverse impacts to off-site property or be under the 2,000 square feet of new impervious cover specified in the BDM. – [Comment resolved.](#)
23. Provide calculations required to determine size and location of drainage easements to convey upstream runoff from the adjacent property (west) through the subject property.
8/3 – The provided SWMP does not provide calculations for the channels conveying runoff through the site. Therefore it cannot be determined if drainage easements meet the requirements of Section 2.03(d)(iv).
8/8 Drainage easements for smaller channels have been addressed, but these smaller channels must extend to a drainage easement containing 100-year floodplain going through the property. This easement should contain both the effective FEMA floodplain, and the revised/studied floodplain. – [Comment resolved.](#)
24. Provide existing and proposed impervious cover information on site exhibit. – [Comment resolved.](#)
25. Provide C-value calculations in drainage area maps. *8/3 CN calculations on Exhibit 8 have total areas that do not match the areas shown on the DA map/modeling. Please verify/update.* – [8/8 Comment resolved.](#)
26. Use C-values provided in Bulverde Drainage manual (see *Bulverde Drainage Manual table 4.2*) or provide C-value calculations in report. – [Comment resolved.](#)
27. Describe existing structures within project area. If no structures are present, please state in project summary. – [Comment resolved.](#)
28. Include a Stormwater Pollution Prevention Plan (SWPPP) with final plat submittal (see *chapter 10 of the Bulverde Drainage Manual*). – [Comment resolved.](#)
29. Hec-RAS model assumes channel n-value of .035 (maintained grass channel or rock rubble riprap). Satellite imagery suggests natural channel with trees and some presence of underbrush. Consider updating channel n-value in Hec-RAS (see *Table 5.4 in Bulverde Drainage Manual*). – [Comment resolved.](#)
30. Hec-RAS model assumes manning's n-value of .24 for overbanks. Consider lowering n-values based off satellite imagery. – [Comment resolved.](#)
31. Overbanks are identical for all cross sections. Update reach lengths accordingly. – [Comment resolved.](#)
32. XS 4201 – XS 3400 do not contain all WSE profiles. Consider lengthening these XS to contain all storm events. – [Comment resolved.](#)
33. Existing conditions drainage area is 24.97 acres and uses Rational Method for on-site drainage. Rational Method should not be used for areas larger than 20 acres (see *Bulverde Drainage Manual Section 4.3.1 Limitations*). – [Comment resolved.](#)
34. Floodplain Development Permit required for waterline crossing of Hanz Creek. – [Comment resolved.](#)

Construction Cost Projections

35. More detail needed for final cost projections (i.e. approximate total length of utility lines, approx. pavement quantity). – [Comment resolved](#).

Bulverde RV Park Construction Plans – NOTE: Site construction plans are incomplete and not a part of the Subdivision Plat submittal for commercial sites, therefore a full review of the construction plans was not performed. The utility plans included were reviewed as part of the required submittal documents with comments included above. Courtesy comments that should be addressed before making the commercial construction plan submittal:

- 20-ft entrance driveway width is not adequate for a 2-way commercial driveway with large RV vehicles.
- Provide site dimensions and radii to verify fire lane through property.
- Provide Tree/Site overlay plan with tree protection, mitigation and removal noted. A general note referring the contractor to the owner prior to tree removal is not adequate. The City must approve any tree removals (reference Section 4.06 of subdivision ordinance).
- Grading plan required.



PLANNING AND ZONING COMMISSION ITEM:

PC-22-18

REPLAT

Replat of Lots 2, 3 & 900

HEB Bulverde

MEETING DATE: August 11th, 2022

DEPARTMENT: Planning & Development

PRESENTED BY: Susana Huerta, AICP, Planning Director

REQUEST:

Reconsideration 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, TIA comments remain unresolved. City Staff and Halff had a meeting with the consultant engineer and representatives from TXDOT to discuss the required mitigation along US Hwy 281 and St. Andrews St. TXDOT stated they did not want the proposed mitigation at this time as it would create other problems to the South with Elm Valley Drive. City Staff advised the consultant engineer that a variance would be required in order to address an exception to the mitigation requirements in TIA. We were told they would not apply for a variance at this time. 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
TBP# FIRM REGISTRATION #470 | TBP#LS 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____.

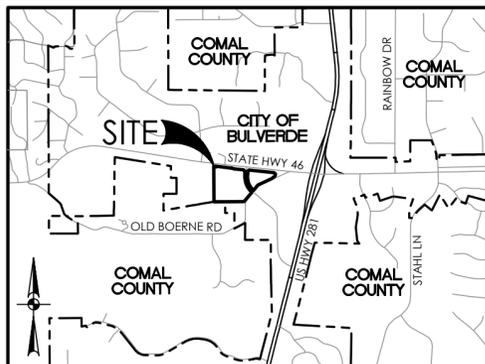
BY: _____
PLANNING DIRECTOR

STATE OF TEXAS
COUNTY OF COMAL

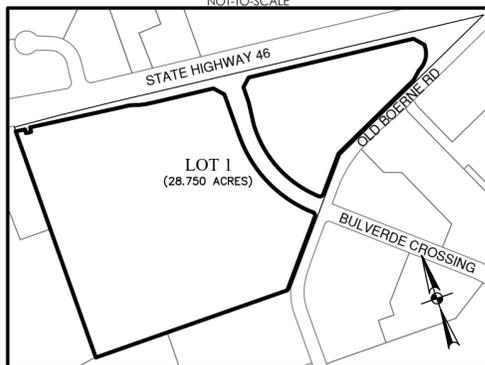
I, _____, COUNTY CLERK OF COMAL COUNTY, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT WAS FILED FOR RECORD IN THE MAP AND PLAT RECORDS, DOC # _____ OF COMAL COUNTY ON THE _____ DAY OF _____, A.D. 20____, AT _____ M.

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

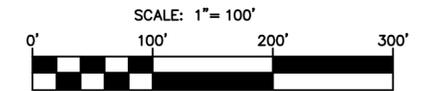
I HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN THIS PLAT TO THE MATTERS OF STREETS, LOTS AND DRAINAGE LAYOUT. TO THE BEST OF MY KNOWLEDGE THIS PLAT CONFORMS TO ALL REQUIREMENTS OF THE CODE OF ORDINANCES, EXCEPT FOR THOSE VARIANCES GRANTED BY THE CITY OF BULVERDE PLANNING COMMISSION.

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____.

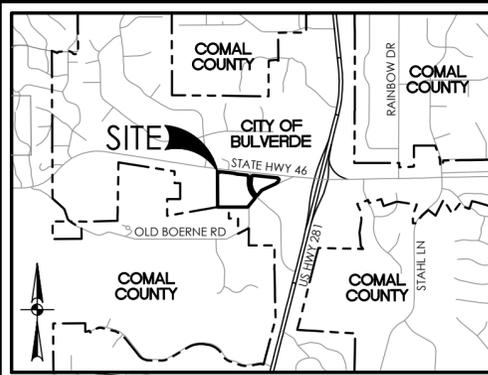
STATE OF TEXAS
 COUNTY OF _____

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

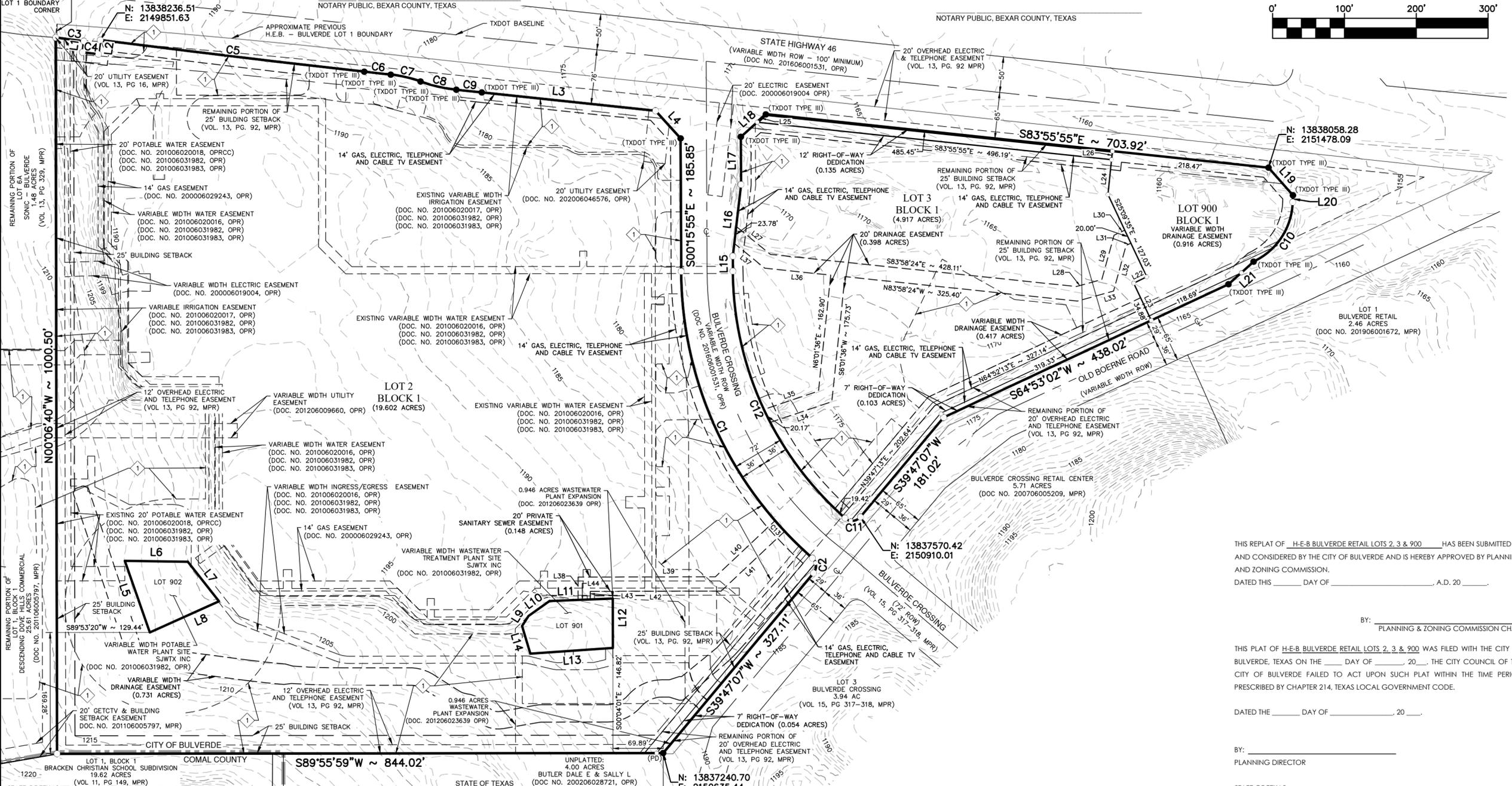
STATE OF TEXAS
 COUNTY OF _____

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.

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

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

Civil Job No. 12516-00; Survey Job No. 12516-00 H.E.B. - BULVERDE RETAIL LOTS 2, 3 & 900



REVIEW MEMORANDUM

TO: Shauna Weaver, 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 #4
PC-22-18

DATE: August 3, 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 July 27, 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).* *7/21 – Comment resolved.*
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.* *7/21 – Comment resolved.*
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

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. 8/3 – comment resolved.
22. Include roadway network descriptions for:
 - Melody Hills
 - Harmony Hills
 - St. Andrews Way
 - Elm Hollow
 8/3 – comment resolved.
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.
 8/3 – comment resolved.
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.

8/3 - Recommended improvements at this intersection do not adequately mitigate the traffic impact. The proposed improvements displace vehicles and increases the number of traveled miles and the delay at SH-46 turnaround. The TIA should be updated to fully evaluate the effects of the proposed improvements, or a variance should be submitted to request relief from the requirement to mitigate the impact of the development on the subject intersection.

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.

8/3 – comment resolved.

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. 8/3 – comment resolved.



PLANNING AND ZONING COMMISSION ITEM:
PC-22-23

REPLAT

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

MEETING DATE: August 11th, 2022

DEPARTMENT: Planning & Development

PRESENTED BY: Susana Huerta, AICP, Planning Director

REQUEST:

Reconsideration 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 4 acres, which was previously platted as Lot 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 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: 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

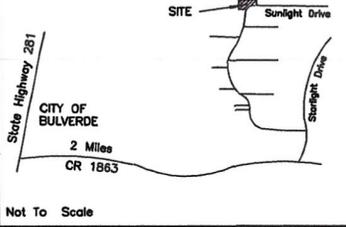
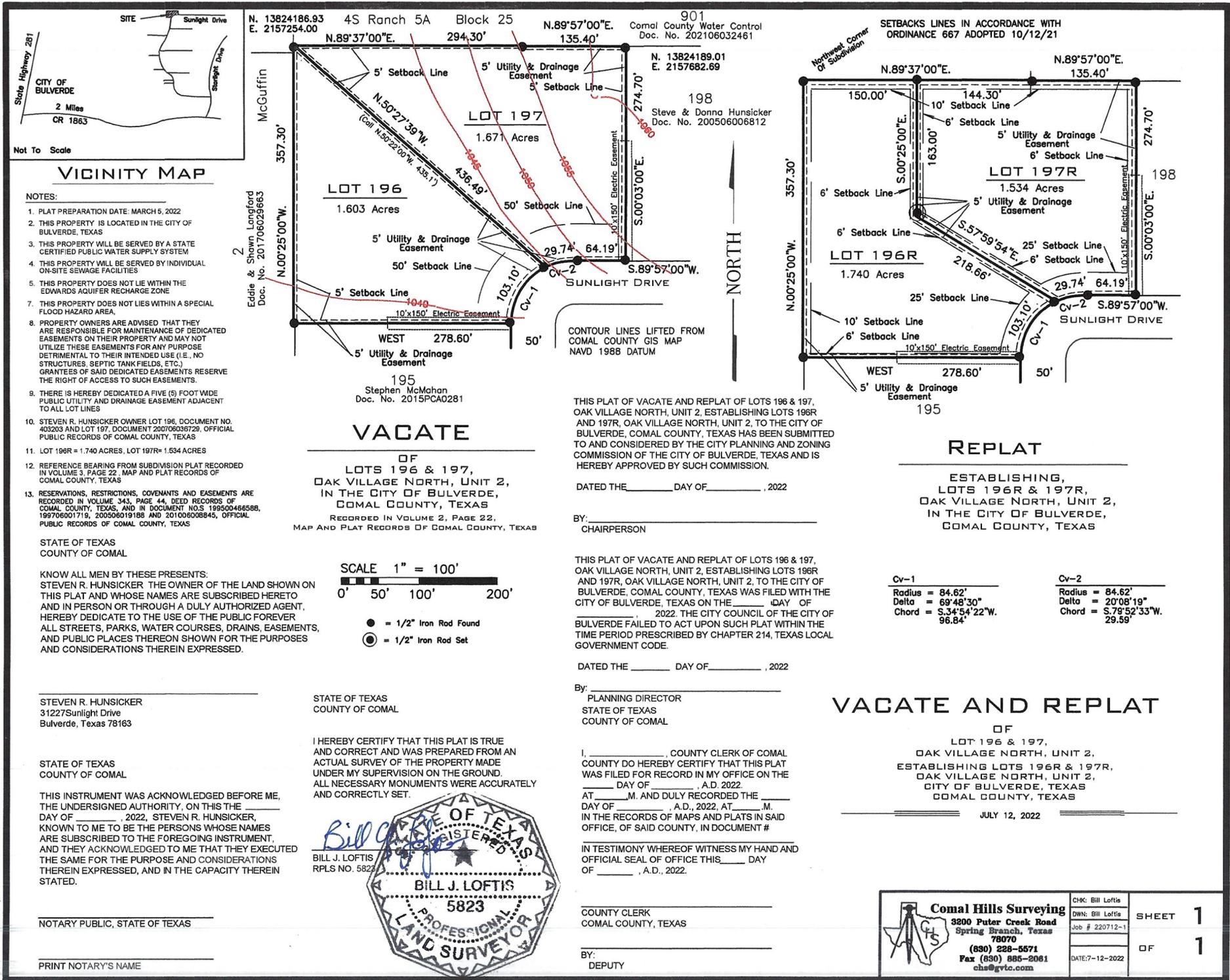
Planning & Zoning Meeting	City Council Meeting	Submittal Date
NOVEMBER 10, 2021	DECEMBER 14, 2021	OCTOBER 12, 2021
DECEMBER 9, 2021	JANUARY 11, 2022	NOVEMBER 9, 2021
JANUARY 13, 2022	FEBRUARY 8, 2022	DECEMBER 14, 2021
FEBRUARY 10, 2022	MARCH 8, 2022	JANUARY 11, 2022
MARCH 10, 2022	APRIL 12, 2022	FEBRUARY 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 IS LOCATED IN THE CITY 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
 7. THIS PROPERTY DOES NOT LIES 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. STEVEN R. HUNSICKER OWNER LOT 196, DOCUMENT NO. 402203 AND LOT 197, DOCUMENT 200700030729, OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS
 11. LOT 196R = 1.740 ACRES, LOT 197R = 1.534 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 NOS. 199500466588, 199706001719, 200506019188 AND 201006008845, 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.

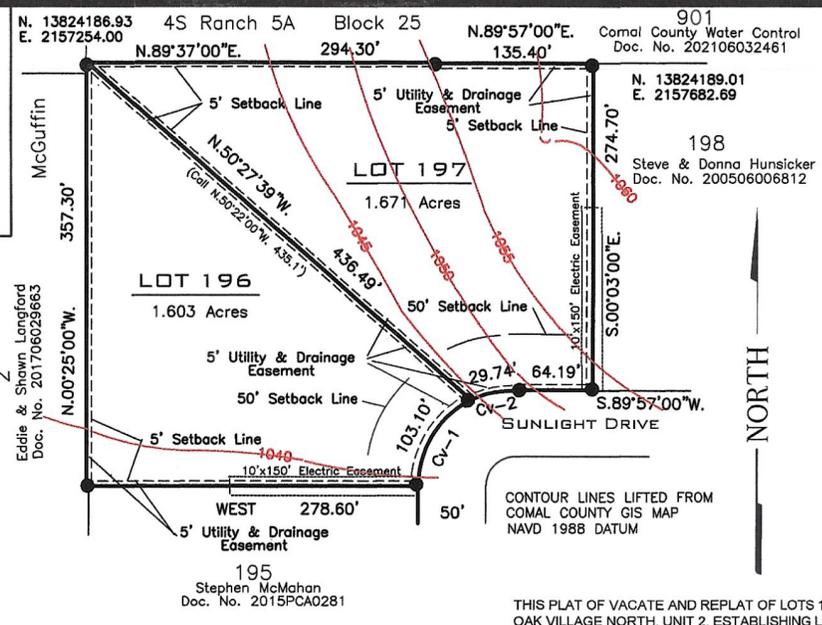
STEVEN R. HUNSICKER
31227Sunlight Drive
Bulverde, Texas 78163

STATE OF TEXAS
COUNTY OF COMAL

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS THE _____ DAY OF _____, 2022, STEVEN R. HUNSICKER, KNOWN TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND THEY ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATIONS THEREIN EXPRESSED, AND IN THE CAPACITY THEREIN STATED.

NOTARY PUBLIC, STATE OF TEXAS

PRINT NOTARY'S NAME



VACATE

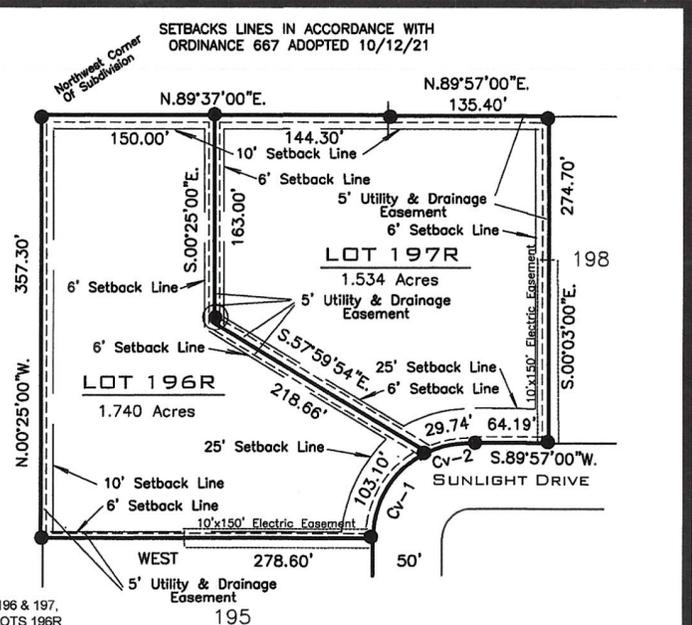
OF
LOTS 196 & 197,
OAK VILLAGE NORTH, UNIT 2,
IN THE CITY OF BULVERDE,
COMAL COUNTY, TEXAS
RECORDED IN VOLUME 2, PAGE 22,
MAP AND PLAT RECORDS OF COMAL COUNTY, TEXAS



STATE OF TEXAS
COUNTY OF COMAL

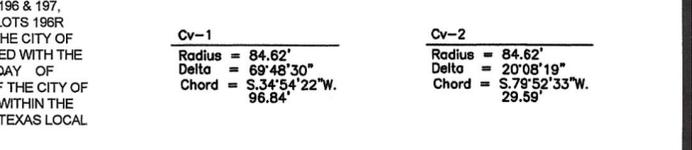
I HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND. ALL NECESSARY MONUMENTS WERE ACCURATELY AND CORRECTLY SET.

Bill J. Loftis
BILL J. LOFTIS
RPLS NO. 5823



REPLAT

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



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

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

CHK: Bill Loftis
DWN: Bill Loftis
Job # 220712-1
DATE: 7-12-2022

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
Acceptance Memo

DATE: August 8, 2022

Half Associates, on behalf of the City of Bulverde, has performed a review on the **Vacate and Replat of Lots 196 & 197, Oak Village North, Unit 2**, received 06/14/2022 and the resubmittal received 8/8/22, which slightly modified the lot acreages from the previous submittal. 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 resolved items noted in [blue](#). Based on our review of the referenced documents, Half Associates has no further comments and recommends approval of the plat as presented.

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. – [Comment resolved](#).
2. Note 10 states that there are no lienholders. Please provide deeds/documentation confirming this. – [Comment resolved](#).
3. Revise notary block to reflect same spelling of “Steven R. Hunsicker” as noted in the owner’s certification. – [Comment resolved](#).
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) – [Comment resolved](#).
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)]. – [Comment resolved](#).
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)]. – [Comment resolved](#).
7. The owner’s address is required per Sec. 1.05(b)(ii)(6). – [Comment resolved](#).



- 8. 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)
8/1-Replat view setback labels should reflect the comment above, but appear unchanged.
8/5 – Comment resolved.
- 9. A minimum of two corners of the subdivision shall be referenced to State Plane Grid Coordinates [Sec. 1.05(b)(ii)(15)].
8/1 - It appears only one corner was labeled. Two are required by code.
8/5 – Comment Resolved
- 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)]. – *Comment resolved.*
- 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)]. – *Comment resolved.*
- 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)]. – *Comment resolved.*
- 13. Indicate the title as “Vacate and Replat of Lots 196 & 197 of Oak Village North, Unit 2” [Sec. 1.05(b)(ii)(23)]. – *Comment resolved.*
- 14. Provide a slope map and any applicable easements as required by Section 1.05(b)(ii)(24) and Section 4.04. – *Comment resolved, contours show slope easements are not required for this replat.*
- 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. – *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

8/1 - New Comments:

1. Note 11 acreages do not match acreages on the replat view for lots 196R and 197R. Please verify and correct the inaccurate one. [8/5 – Comment Resolved.](#)
2. Lot number to the east in “Replat View” should be 198, not 189, as shown. [8/5 – Comment Resolved.](#)

Plat Supporting Documents, Ordinance Section 1.04

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



PLANNING AND ZONING COMMISSION ITEM:
PC-22-26
FINAL PLAT
PRESERVE AT SINGING HILLS, UNIT 5

MEETING DATE: August 11th, 2022
DEPARTMENT: Planning & Development
PRESENTED BY: Susana Huerta, AICP, Planning Director

REQUEST:

Consideration of a Final Plat for the Preserve at Singing Hills Unit 5 Subdivision generally located at the intersection of Singing Creek and Chorus Canyon.

APPLICANT:

Moy Tarin Ramirez (MTR) Engineers, LLC
12770 Cimarron Path, Ste. 100
San Antonio, TX 78249

PROPERTY INFORMATION:

Owner: SH-DJL Development, LLC
Legal Description: BEING A 15.847 ACRE TRACT OF LAND OF THE JOHANN MOEGELIEN SURVEY NO. 575, ABSTRACT NO. 423, COMAL COUNTY, TEXAS, SAID 15.847 ACRE TRACT BEING A PORTION OF THAT CERTAIN 238.528 ACRE TRACT CONVEYED TO SH-DJL DEVELOPMENT, LLC, A TEXAS LIMITED LIABILITY COMPANY BY DOCUMENT NO. 201206038145, OFFICIAL RECORDS, COMAL COUNTY, TEXAS.
Size: 15.847; 53 lots
Existing Land Use: Undeveloped
Existing Zoning: Extraterritorial Jurisdiction (ETJ)
Proposed Land-Use: Single-Family Residential

SUMMARY:

This is a proposed final plat for Unit 5 of the Preserve at Singing Hills. This final plat is part of the overall Singing Hills Development, for which a Master Development Plan (MDP) was approved in 2011. The proposed Final Plat is for approximately 16 acres of vacant property and establishes 53 single family residential lots.

ANALYSIS:

The proposed subdivision lies completely outside the City Limits. No portion of the proposed subdivision lies in the 100-yr floodplain. Water will be provided by Canyon Lake Water Service

Company. Sewer service will be provided by the Wastewater Treatment Plant located at Singing Hills.

STAFF RECOMMENDATION:

The proposed submittal has been reviewed by Halff Associates and City staff. Review comments have not been addressed. Therefore, Staff recommends **DENIAL** of this FINAL Plat.

ATTACHMENTS:

Application

Final Plat

Halff Review Memo



APPLICATION FOR FINAL PLAT

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

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

1. Name of Subdivision: The Preserve at Singing Hills Unit No 5
Location Description/Nearest Intersection: Intersection of Singing Creek & Chorus Canyon

2. Owner/Applicant: SH Preserve, Ltd by SH-REOC, LLC, Attn: Todd Gold, President
Address: 8023 Vantage Dr Ste 1200, San Antonio, TX 78230 Email: tgold@reocsanantonio.com
Telephone: (210) 614-7051 Fax: (210) 614-8276 Mobile: _____
Note: If applicant is person other than owner, a letter of authorization must be provided from owner.

3. Licensed Engineer/Surveyor (technical contact): Moy Tarin Ramirez (MTR) Engineers, LLC, Attn: Paul Landa
Address: 12770 Cimarron Path Ste. 100, San Antonio, TX 78249 Email: planda@mtrengineers.com
Telephone: (210) 698-5051 Fax: (210) 698-5085 Mobile: _____

4. Property Details:

City Limits:	<input type="checkbox"/> In	<input checked="" type="checkbox"/> Out (ETJ)	Water Source:	<u>Canyon Lake WSC</u>
Commercial:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Sewage Treatment:	<u>Singing Hills Wastewater</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>53</u>		100-Year Floodplain:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Total Acreage without floodplain:	<u>15.847</u>		Edwards Aquifer Zone:	<input type="checkbox"/> Recharge
Density Class:	<u>N/A</u>			<input checked="" type="checkbox"/> Contributing
Zoning Class:	<u>N/A</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

06/13/2022

Date

Fees and Submittal Dates on Page 2

Fees:

Final Plats

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

Traffic Impact Analysis (TIA) Review

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

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)

Subdivision Improvement Construction Plan Review

- \$2500

Subdivision Improvement Construction Inspection

- \$50 + \$2.00/LF of each infrastructure improvement to be inspected

Subdivision Improvement Construction Deposit for Multiple Inspections

- \$50 + \$2.00/LF of each infrastructure improvement to be inspected

SUBMITTAL DATES: NOVEMBER 2021 – DECEMBER 2022

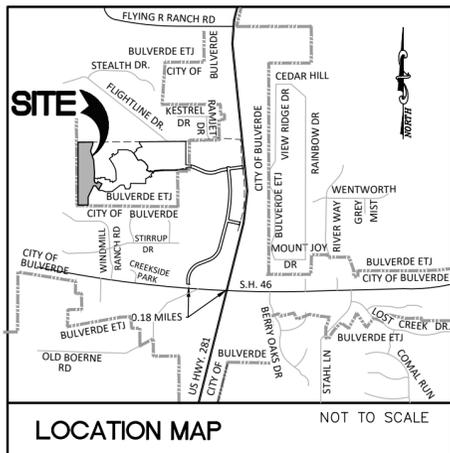
Planning & Zoning Meeting	City Council Meeting	Submittal Date
NOVEMBER 10, 2021	DECEMBER 14, 2021	OCTOBER 12, 2021
DECEMBER 9, 2021	JANUARY 11, 2022	NOVEMBER 9, 2021
JANUARY 13, 2022	FEBRUARY 8, 2022	DECEMBER 14, 2021
FEBRUARY 10, 2022	MARCH 8, 2022	JANUARY 11, 2022
MARCH 10, 2022	APRIL 12, 2022	FEBRUARY 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 12, 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 Final Plat 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 Final Plat
- 1 Physical copy of Final Plat 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
 - TIA Fee
 - SICP Fee
- A digital copy the Final Utility Layout showing all proposed utilities and easements
- A digital copy the Final Traffic Impact Analysis
- A digital copy of construction cost projections for improvements required herein. Cost projections prepared without complete and approved construction plans shall include at a minimum a 10% design phase contingency and a 15% construction contingency.
- N/A -- A digital copy of the approved Floodplain Development Permit from Comal County if subdivision includes property within the ETJ.
- A digital copy the Final Drainage Study
- A digital copy the recorded deed
- A digital copy of each letter approving the Final Plat reviewed by all utilities that will provide service to the proposed subdivision and all entities with regulatory authority pertaining to the proposed subdivision including but not limited to the following.
 - Electric Utility
 - Gas Utility
 - Public Water System
 - Telephone Utility
 - Cable TV Utility
 - TxDOT
 - TCEQ
 - Other agencies or entities having jurisdiction
- N/A -- A digital copy of Variance Requests (if any)
- A digital copy of Original Tax Certificates
 - City
 - County
 - School



LOCATION MAP NOT TO SCALE

LEGEND

- 1250--- EXISTING CONTOUR
- AC ACRE
- R.O.W. RIGHT OF WAY
- R RADIUS
- ⊙ CENTERLINE
- ESM.T. EASEMENT
- O.P.R.C.C.T. OFFICIAL PUBLIC RECORDS COMAL COUNTY, TEXAS
- M.P.R.C.C.T. MAP AND PLAT RECORDS COMAL COUNTY, TEXAS
- B.S.L. BUILDING SETBACK LINE
- VOL. VOLUME
- PG. PAGE
- VAR. VARIABLE
- WD. WIDTH
- E.G.T.C.A. ELECTRIC, GAS, TELEPHONE CABLE TELEVISION
- N.T.S. NOT TO SCALE
- NO. NUMBER
- ETJ EXTRATERRITORIAL JURISDICTION
- ⊙ 1/2" IRON ROD SET WITH AN ORANGE PLASTIC CAP STAMPED "MTR ENG"

STATE OF TEXAS
COUNTY OF COMAL

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

MOY TARIN RAMIREZ ENGINEERS, LLC

STEPHANIE L. JAMES, R.P.L.S.
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5950
MOY TARIN RAMIREZ ENGINEERS, LLC
12770 CIMARRON PATH STE. 100
SAN ANTONIO, TEXAS 78249
PH# (210) 698-5051

SWORN TO AND SUBSCRIBED BEFORE ME ON THIS _____ DAY
OF _____ 20____

NOTARY PUBLIC, STATE OF TEXAS

PRINTED NAME

STATE OF TEXAS
COUNTY OF COMAL

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

DJUANE A. MOY, P.E.
LICENSED PROFESSIONAL ENGINEER NO. 69258
MOY TARIN RAMIREZ ENGINEERS, LLC
12770 CIMARRON PATH, STE. 100
SAN ANTONIO, TEXAS 78249
PHONE: (210) 698-5051

SWORN TO AND SUBSCRIBED BEFORE ME ON THIS _____ DAY
OF _____ 20____

NOTARY PUBLIC, STATE OF TEXAS

PRINTED NAME

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 TO RELOCATE SAID FACILITIES WITHIN SAID EASEMENT AND RIGHT-OF-WAY AREAS, AND THE RIGHT TO REMOVE FROM SAID LANDS ALL TREES OR PARTS THEREOF, OR OTHER OBSTRUCTIONS WHICH ENDANGER OR MAY INTERFERE WITH THE EFFICIENCY OF SAID LINES OR APPURTENANCES THERETO. IT IS AGREED AND UNDERSTOOD THAT NO BUILDINGS, CONCRETE SLABS, OR WALLS WILL BE PLACED WITHIN SAID EASEMENT AREA.
- 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.

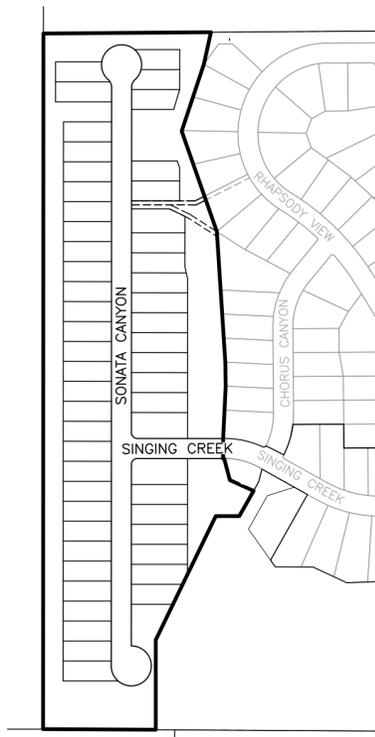
CPS NOTES:

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

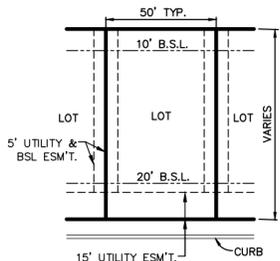
CITY OF BULVERDE SUBDIVISION NOTES:

- 1) THIS PLAT WAS PREPARED ON DECEMBER 12, 2019.
- 2) THIS PROPERTY DOES LIE WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF BULVERDE.
- 3) THIS PROPERTY DOES NOT LIE WITHIN THE EDWARDS AQUIFER RECHARGE ZONE.
- 4) THIS PROPERTY DOES NOT LIE WITHIN A SPECIAL FLOOD HAZARD AREA, ZONE "A", THE 100-YEAR FLOOD ZONE, AS DEFINED BY THE FLOOD INSURANCE RATE MAP FOR COMAL COUNTY, TEXAS ON COMMUNITY PANEL NO. 48091C0220F, EFFECTIVE DATE SEPTEMBER 2, 2009, AS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.
- 5) 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.
- 6) 2.254 ACRES, 1,759.00 LINEAR FEET ARE BEING DEDICATED TO THE PUBLIC AS RIGHT-OF-WAY OUTSIDE OF BULVERDE CITY LIMITS.
- 7) 53 LOTS, BEING 6.324 ACRES TOTAL ARE INCLUDED IN THIS SUBDIVISION PLAT.
- 8) OPEN SPACE LOTS SHALL BE OWNED AND MAINTAINED BY THE HOME OWNERS' ASSOCIATION. OPEN SPACE LOTS SHALL ALLOW FOR PLACEMENT OF ENTRY MONUMENT, FENCING, LANDSCAPING, GRADING, SIDEWALKS, IRRIGATION SYSTEM, UTILITIES, ROADWAYS, AND ACCESS EASEMENT.
- 9) SIDE SETBACKS SHALL BE 5' AND REAR SETBACK SHALL BE 10' UNLESS OTHERWISE SHOWN ON DRAWINGS.

LIENHOLDER: BANK SNB
CARI D. ROBINSON
9324 HUEBNER RD
SAN ANTONIO, TX 78240
DEED OF TRUST
DOCUMENT NO. 201406005402, O.P.R.C.C.T.



INDEX MAP
N.T.S.



TYPICAL EASEMENT AND SETBACK DETAIL
N.T.S.

**TELECOMMUNICATIONS, TELEPHONE, TELEVISION,
AND INTERNET SERVICE NOTE:**

EXCEPT WHERE LIMITED BY APPLICABLE LAW, DEVELOPER RESERVES UNTO ITSELF AND ITS DESIGNATED ASSIGNS ALL RIGHTS FOR THE INSTALLATION AND APPROVAL OF ANY TELECOMMUNICATIONS, TELEPHONE, TELEVISION AND INTERNET SERVICE WIRES, LINES, CABLES OR OTHER COMMUNICATIONS IMPROVEMENTS IN EASEMENTS DESIGNATED FOR SUCH PURPOSES AND HEREBY REQUIRES THAT, WHEN CONSTRUCTED, ALL SUCH IMPROVEMENTS BE PLACED IN DESIGNATED EXISTING CONDUITS SO AS NOT TO DISTURB THE SURFACE AREA OF ANY INDIVIDUAL LOT EXCEPT WHERE EXPRESSLY ALLOWED. NO NEW CONDUITS OR TELECOMMUNICATIONS, TELEPHONE, CABLE TELEVISION OR INTERNET SERVICE UNDERGROUND IMPROVEMENTS SHALL BE PLACED IN EASEMENT AREAS WITHOUT THE EXPRESS WRITTEN APPROVAL OF DEVELOPER OR ITS DESIGNATED ASSIGNS.

NOTES:

1. BEARINGS ARE BASED ON THE STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983, TEXAS SOUTH CENTRAL ZONE.
2. 1/2" IRON RODS WITH ORANGE PLASTIC CAP STAMPED "MTR ENG" SET AT ALL PROPERTY CORNERS UNLESS OTHERWISE NOTED.
3. VERTICAL DATUM IS NORTH AMERICAN DATUM (NAVD) 88.
4. THE BEARINGS, DISTANCES, AREAS AND COORDINATE SHOWN HEREON ARE TEXAS STATE PLANE COORDINATE SYSTEM GRID, SOUTH CENTRAL ZONE (4204), AS ESTABLISHED BY GLOBAL POSITIONING SYSTEM. THE GRID TO SURFACE SCALE FACTOR FOR ALL DISTANCES IS 1.0016.

NOTES:

1. SEE SHEET 2 FOR CURVE AND LINE TABLE
2. PLAT NOTES APPLY TO EVERY PAGE OF THIS MULTIPLE PAGE PLAT

SUBDIVISION PLAT
ESTABLISHING
**THE PRESERVE AT
SINGING HILLS, UNIT 5**

BEING A 15.847 ACRE TRACT OF LAND OUT OF THE JOHANN MOEGELIEN SURVEY NO. 575, ABSTRACT NO. 423, COMAL COUNTY, TEXAS, SAID 15.847 ACRE TRACT BEING A PORTION OF THAT CERTAIN 238.528 ACRE TRACT CONVEYED TO SH-DJL DEVELOPMENT, LLC, A TEXAS LIMITED LIABILITY COMPANY BY DOCUMENT NO. 201206038145, OFFICIAL RECORDS, COMAL COUNTY, TEXAS.

MTR
Moy Tarin Ramirez Engineers, LLC
FIRM TBPE NO. F-5297 & TBPLS NO. 10131500
12770 CIMARRON PATH, SUITE 100 TEL: (210) 698-5051
SAN ANTONIO, TEXAS 78249 FAX: (210) 698-5051

- Engineers
- Surveyors
- Planners

STATE OF TEXAS
COUNTY OF COMAL

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

OWNER/DEVELOPER
SH-DJL DEVELOPMENT, LLC, A TEXAS LIMITED LIABILITY COMPANY
CONTACT: DAVID KEITH, VICE PRESIDENT
18615 TUSCANY STONE, SUITE 200
SAN ANTONIO, TEXAS 78258

STATE OF TEXAS
COUNTY OF COMAL

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED

DAVID KEITH, VICE PRESIDENT KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT OF WRITING, 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, STATE OF TEXAS

PRINTED NAME

STATE OF TEXAS
COUNTY OF COMAL

THIS PLAT OF THE PRESERVE AT SINGING HILLS UNIT 5 HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF BULVERDE, TEXAS, AND IS HEREBY APPROVED BY SUCH COMMISSION IN ACCORDANCE WITH STATE OR LOCAL LAWS AND REGULATIONS; AND/OR WHERE VARIANCE(S) HAVE BEEN GRANTED.

DATED THIS _____ DAY OF _____ A.D., _____

BY: _____ CHAIRMAN

BY: _____ SECRETARY

STATE OF TEXAS
COUNTY OF COMAL

I, BOBBIE KOEPP, COUNTY CLERK OF COMAL COUNTY, DO HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN MY OFFICE ON 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

KEYNOTES

- (A) 15' E.G.T.CA. ESM'T.
- (B) 20' B.S.L.
- (C) 15' B.S.L. & E.G.T.CA.
- (D) LOT 900, BLOCK 9 OPEN SPACE/VARIABLE WIDTH DRAINAGE EASEMENT (5.295 AC)
- (E) LOT 907, BLOCK 4 OPEN SPACE/VARIABLE WIDTH DRAINAGE EASEMENT (0.538 AC)
- (F) 10' E.G.T.CA. ESM'T.
- (G) 10' WATER ESM'T.
- (1) 20' E.G.T.CA. ESM'T. (THE PRESERVE AT SINGING HILLS, UNIT 2) (NOT RECORDED)
- (2) 15' B.S.L. & E.G.T.CA. ESM'T. (THE PRESERVE AT SINGING HILLS, UNIT 3) (NOT RECORDED)
- (3) LOT 905, BLOCK 4 OPEN SPACE/VARIABLE WIDTH DRAINAGE AND UTILITY EASEMENT (THE PRESERVE AT SINGING HILLS, UNIT 2B) (NOT RECORDED)
- (4) LOT 906, BLOCK 4 OPEN SPACE/VARIABLE WIDTH DRAINAGE AND UTILITY EASEMENT (THE PRESERVE AT SINGING HILLS, UNIT 2B) (NOT RECORDED)

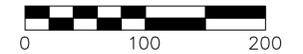
LEGEND

- 1250--- EXISTING CONTOUR
- AC ACRE
- R.O.W. RIGHT OF WAY
- R RADIUS
- CL CENTERLINE
- ESM'T. EASEMENT
- O.P.R.C.C.T. OFFICIAL PUBLIC RECORDS COMAL COUNTY, TEXAS
- M.P.R.C.C.T. MAP AND PLAT RECORDS COMAL COUNTY, TEXAS
- B.S.L. BUILDING SETBACK LINE
- VOL. VOLUME
- PG. PAGE
- VAR. VARIABLE
- WD. WIDTH
- E.G.T.CA. ELECTRIC, GAS, TELEPHONE CABLE TELEVISION
- N.T.S. NOT TO SCALE
- NO. NUMBER
- ETJ EXTRATERRITORIAL JURISDICTION
- o 1/2" IRON ROD SET WITH AN ORANGE PLASTIC CAP STAMPED "MTR ENG"

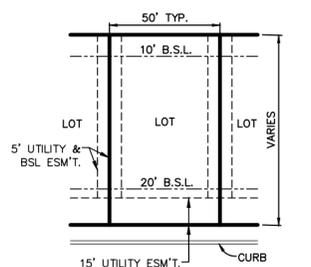
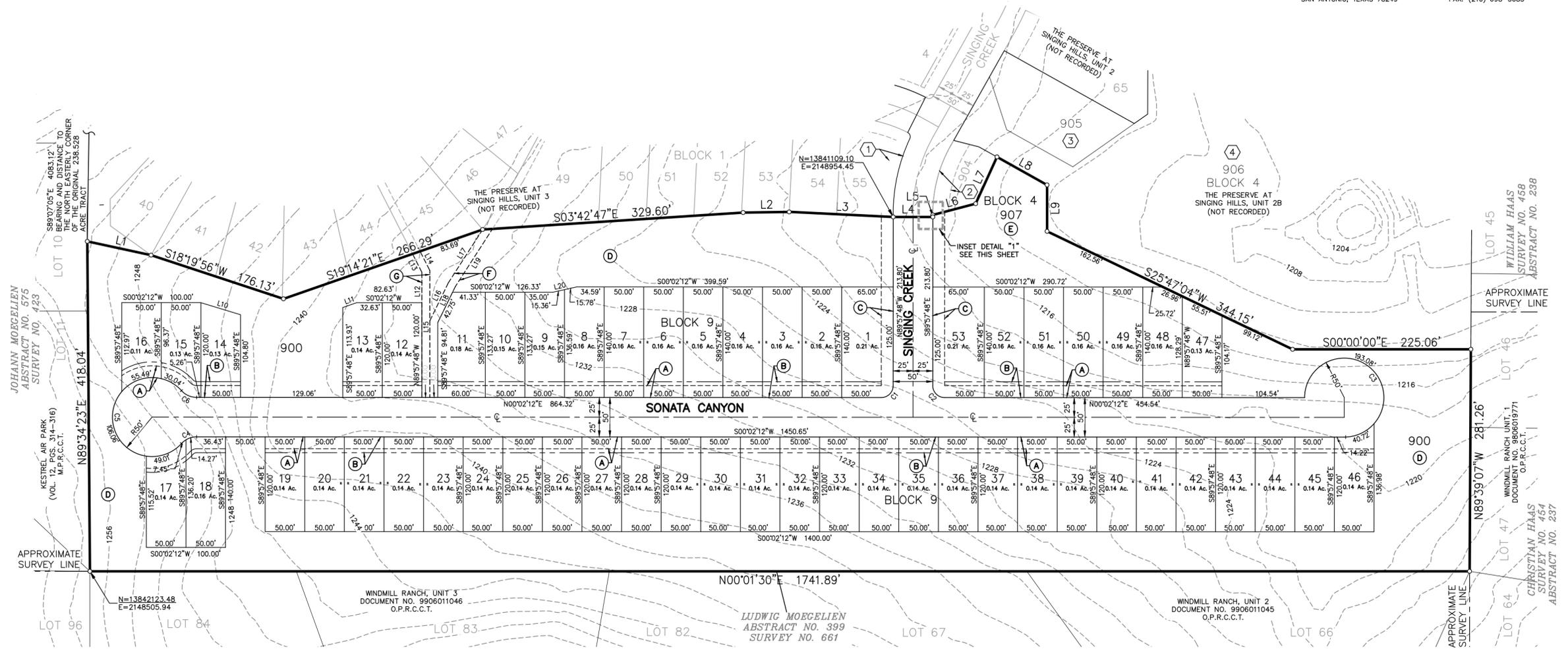
SUBDIVISION PLAT
ESTABLISHING
**THE PRESERVE AT
SINGING HILLS, UNIT 5**

BEING A 15.847 ACRE TRACT OF LAND OUT OF THE JOHANN MOEGELIEN SURVEY NO. 575, ABSTRACT NO. 423, COMAL COUNTY, TEXAS, SAID 15.847 ACRE TRACT BEING A PORTION OF THAT CERTAIN 238.528 ACRE TRACT CONVEYED TO SH-DJL DEVELOPMENT, L.L.C., A TEXAS LIMITED LIABILITY COMPANY BY DOCUMENT NO. 201206038145, OFFICIAL RECORDS, COMAL COUNTY, TEXAS.

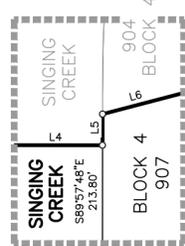
SCALE: 1"=100'



MTR • Engineers
• Surveyors
• Planners
Moy Tarin Ramirez Engineers, LLC
FIRM TBPE NO. F-5297 & TBPLS NO. 10131500
12770 CIMARRON PATH, SUITE 100 TEL: (210) 698-5051
SAN ANTONIO, TEXAS 78249 FAX: (210) 698-5085



TYPICAL EASEMENT AND SETBACK DETAIL
N.T.S.



INSET DETAIL 1
N.T.S.

LINE	LENGTH	BEARING
L1	82.39'	S12°18'18"W
L2	60.12'	S00°43'22"E
L3	129.52'	S02°50'20"W
L4	50.00'	S00°02'12"W
L5	2.60'	S89°57'48"E
L6	55.91'	S14°43'08"E
L7	65.05'	S65°30'39"E
L8	72.56'	S29°20'44"W
L9	58.71'	N90°00'00"W
L10	52.26'	N16°56'41"E

LINE	LENGTH	BEARING
L11	18.40'	N19°14'21"W
L12	158.44'	S89°57'48"E
L13	26.23'	S63°04'05"W
L14	27.28'	S63°04'05"W
L15	160.84'	S89°57'48"E
L16	53.58'	S64°04'25"E
L17	80.13'	N57°18'27"W
L18	50.69'	S64°04'25"E
L19	86.91'	N57°18'27"W
L20	31.15'	S12°26'14"E

CURVE	RADIUS	DELTA	TANGENT	LENGTH	CHORD	CHORD BEARING
C1	15.00'	90°00'00"	15.00'	23.56'	21.21'	N44°57'48"W
C2	15.00'	90°00'00"	15.00'	23.56'	21.21'	N45°02'12"E
C3	50.00'	221°15'04"	132.84'	193.08'	93.59'	N20°41'56"E
C4	25.83'	31°39'52"	7.32'	14.27'	14.09'	S15°37'36"E
C5	50.00'	121°32'06"	89.35'	106.06'	87.26'	S69°06'35"W
C6	25.83'	48°11'23"	11.55'	21.72'	21.09'	N23°57'45"E



REVIEW MEMORANDUM

TO: Chris Dumas
MTR Engineers
12770 Cimarron Path, Suite 100
San Antonio, TX 78249
cdumas@mtengineers.com

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

SUBJECT: Preserve at Singing Hills Unit 5
Final Plat Review
PC-22-26

DATE: July 21, 2022

Half Associates and City Staff have reviewed the Plat submittal for the Preserve at Singing Hills development Unit 5. The review was conducted relative to the requirements established in the vested Subdivision Ordinance 258-07-09-25 (with amendments through April 11, 2011) of the City of Bulverde AND the Development Agreement dated September 11, 2012. The following items were reviewed, with specific items to be addressed by the applicant listed below before resubmittal.

Plat specifications, Ordinance Section 1.05(b)

1. Update owner information to reflect "SH Preserve LTD" as indicated on deed and on Comal County Appraisal District website.
2. Update lienholders note to reflect Jefferson Bank, as indicated on the Development Loan Deed of Trust included in the submittal and provide a Lienholder acknowledgement.
3. Update adjacent plat information and hexagon notes that state "Not recorded" with the appropriate document number for plats that are now recorded.
4. Show City of Bulverde / ETJ line where adjacent to the plat.
5. Provide Planning Director signature block similar to:

THIS REPLAT 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 REPLAT WITHIN THE TIME PERIOD PRESCRIBED BY CHAPTER 214, TEXAS LOCAL GOVERNMENT CODE.

DATED THE _____ DAY OF _____, 20__

PLANNING DIRECTOR

6. Add note to plat stating maximum impervious cover per lot, matching TCEQ approval letter.



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

Plat Supporting Documents, Ordinance Section 1.04(d)

7. Submitted utility certification letters for CPS, GVTC, and PEC are for Singing Hills Unit 5, not the Preserve at Singing Hills, Unit 5 and are dated 2015. Please provide updated certifications showing review and approval of this plat.

Traffic Impact Analysis Worksheet – Previously approved.

Drainage Analysis – Previously approved.



PLANNING AND ZONING COMMISSION ITEM:
PC-22-27
PRELIMINARY PLAT
MITCHELL TRACT

MEETING DATE: August 10th, 2022
DEPARTMENT: Planning & Development
PRESENTED BY: Susana Huerta, AICP, Planning Director

REQUEST:

Consideration a Preliminary Plat for Mitchell Tract, located at 200 Mitchell Drive.

OWNER/APPLICANT:

Phil Zaccaria
21260 Gathering Oak #106
San Antonio, TX 78260

PROPERTY INFORMATION:

Owner: Phil Zaccaria
Legal Description: BEING A 193.66 ACRE TRACT LOCATED IN THE H. & O.B.R.R. CO. SURVEY. NO 847, ABSTRACT NO. 726, COMAL COUNTY, TEXAS; BEING A PORTION OF THE REMAINDER OF A CALLED 352.977 ACRE TRACT 1 RECORDED IN VOLUME 494, PAGE 184, AND DESCRIBED IN VOLUME 152, PAGE 170, DEED RECORDS, COMAL COUNTY TEXAS
Size: 193. 22 ACRES; 27 LOTS
Existing Land Use: Undeveloped
Existing Zoning: Extraterritorial Jurisdiction (ETJ)
Proposed Land-Use: Single-Family Residential

SUMMARY:

This is a proposed preliminary plat for the Mitchell Tract, located outside city limits in the ETJ.

The proposed preliminary plat would establish 27 single-family residential lots. Since this proposed subdivision consists of more than 30 acres, a preliminary plat is required. Since this subdivision is not part of a phased development, it does not require a Master Development Plan (MDP).

ANALYSIS:

The proposed subdivision lies completely outside the City Limits. No portion of the proposed subdivision lies within the 100-year floodplain. Groundwater wells would provide water to lots in the subdivision while on-site septic facilities would serve each lot. The proposed development is low-density residential and will be a private community with no public roadways.

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

STAFF RECOMMENDATION:

Halff Associates and City staff have reviewed the proposed preliminary plat and associated documents. Comments can be found in the review memo included. Comments have not been addressed.

Therefore, staff recommends **DENIAL** of this preliminary plat.

ATTACHMENTS:

1. Application
2. Preliminary Plat
3. Halff Review Memo



APPLICATION FOR PRELIMINARY PLAT

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

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

1. Name of Subdivision: Mitchell Tract Unit No _____
Location Description/Nearest Intersection: 200 Mitchell Dr Bulverde, TX 78070

2. Owner/Applicant: Phil Zaccaria
Address: 21260 Gathering Oak #106 San Antonio Email: pnppetrroleum@yahoo.com
Telephone: 210-494-9189 Fax: TX 78260 Mobile: _____
Note: If applicant is person other than owner, a letter of authorization must be provided from owner.

3. Licensed Engineer/Surveyor (technical contact): Ryan Shaw
Address: 290 S. Castell Ave New Braunfels, TX 78130 Email: plats@hmtfb.com
Telephone: 830-625-8555 Fax: _____ Mobile: _____

4. Property Details:

City Limits:	<input type="checkbox"/> In <input checked="" type="checkbox"/> Out (ETJ)	Water Source:	<u>Wells</u>
Commercial:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Sewage Treatment:	<u>OSSF</u>
Residential:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	TxDOT Frontage:	<input type="checkbox"/> Yes <input type="checkbox"/> No
No. of Lots:	<u>27</u>	100-Year Floodplain:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Total Acreage without floodplain:	<u>193.22</u>	Edwards Aquifer Zone:	<input type="checkbox"/> Recharge
Density Class:	<u>Low</u>		<input checked="" type="checkbox"/> Contributing
Zoning Class:	<u>ET3</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 Date

Fees on Page 2

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

NOTES:

- ACREAGE OF SUBDIVISION = 193.66 ACRES. THE OVERALL AVERAGE DENSITY OF LOTS IN THIS SUBDIVISION IS 7.16 AC/LOT.
- NO LOTS ARE ENCRoACHED BY SPECIAL FLOOD HAZARD AREAS INUNDATED BY 100 YEAR FLOOD AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY BOUNDARY MAP, (FLOOD INSURANCE RATE MAP), COMMUNITY PANEL NO. 48091C0215F DATED SEPTEMBER 2, 2019.
- WATER SERVICE FOR THIS SUBDIVISION WILL BE PROVIDED BY WELLS.
- SEWER SERVICE FOR THIS SUBDIVISION WILL BE PROVIDED BY ONSITE SEWAGE FACILITIES.
- ELECTRIC SERVICE PROVIDED BY PEDERNALES ELECTRIC COOPERATIVE.
- COMMUNICATIONS SERVICE WILL BE PROVIDED BY GUADALUPE VALLEY TELEPHONE COOPERATIVE.
- UNLESS OTHERWISE NOTED, ALL CORNERS, ANGLES AND POINTS OF CURVATURE ARE MARKED WITH 1/2" IRON RODS WITH HMT CAP.
- 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 NAVD88.
- 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.
- UNLESS SHOWN OTHERWISE, A TWENTY (20) FOOT PUBLIC UTILITY EASEMENT (P.U.E) IS HEREBY DEDICATED ALONG THE FRONT PROPERTY LINE OF ALL LOTS IN THIS SUBDIVISION IN ADDITION TO THOSE UTILITY AND DRAINAGE EASEMENTS 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.
- ALL PUBLIC UTILITY EASEMENTS ARE FOR UTILITY IMPROVEMENTS, INCLUDING BUT NOT LIMITED TO ELECTRIC, GAS, TELEPHONE, AND/OR CATV LINES AND APPURTENANCES.
- GRANTOR HEREBY DEDICATES TO THE PUBLIC UTILITY EASEMENT AND/OR UTILITY RIGHT-OF-WAY ON THIS PLAT FOR UTILITY PURPOSES.
- 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.
- 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). GRANTEEES OF SAID DEDICATED EASEMENTS RESERVE THE RIGHT OF ACCESS TO SUCH EASEMENTS.
- 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.
- THE CITY OF BULVERDE SHALL NOT BE RESPONSIBLE FOR MAINTENANCE OF PRIVATE STREETS, DRIVES, RECREATION AREAS AND OPEN SPACES. THE SUBDIVISION PROPERTY OWNER'S 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.
- SPECIAL LOT DEDICATION/DESIGNATION:
 - LOTS 902, 903 & 904 ARE DESIGNATED AS OPEN SPACE/DRAINAGE EASEMENT AND IS HEREBY OWNED AND MAINTAINED BY THE POA.
- 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.
- A DRIVEWAY CULVERT IS REQUIRED FOR ALL DRIVEWAYS WHERE DRAINAGE CONVEYANCE ACROSS THE DRIVEWAY IS REQUIRED.
- LOT OWNERS MUST ENSURE THAT ALL DRIVEWAYS ARE CONSTRUCTED TO DRAIN TOWARDS THE ROADWAY WITHIN THE STREET RIGHT OF WAY. ALL DRIVEWAYS MUST HAVE A MINIMUM ELEVATION INCREASE OF 10.25 INCHES FROM THE HIGHEST GUTTER ELEVATION ABUTTING TO THE DRIVEWAY TO ENSURE THAT STORMWATER IS CONTAINED WITHIN THE RIGHT OF WAY. FAILURE TO DO SO COULD RESULT IN UNDESIREED STORMWATER DISCHARGE WITHIN THE LOT.
- 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 1/8" PER FOOT FOR A DISTANCE OF AT LEAST 10 FEET. LOT DEVELOPMENT ADJACENT TO ANY STORM WATER 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.
- DRIVEWAYS SHALL TAKE ACCESS OFF OF INTERNALLY PLATTED ROADS.
- GOLDSMITH PHASE 1 DRAINAGE DESIGN WAS BASED ON AN AVERAGE IMPERVIOUS COVER OF 10,229 SF PER 1.01 ACRE LOT. ALL LOTS THAT CONSTRUCT MORE THAN 10,229 SF PER 1.01 ACRES MAY BE SUBJECT TO ADDITIONAL DRAINAGE ANALYSIS AND DETENTION REQUIREMENTS. IF TWO OR MORE LOTS ARE COMBINED AS A SINGLE HOME SITE, THE IMPERVIOUSCOVER PERMITTED INCREASES BY 10,229 SF FOR EACH LOT COMBINED.

PEDERNALES ELECTRIC NOTES:

- ANY PEC MONETARY LOSS RESULTING FROM MODIFICATIONS REQUIRED OF PEG 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.
- 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.
- 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.
- 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.
- 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
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.

PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE.

DOROTHY J. TAYLOR
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6295

SWORN TO AND SUBSCRIBED BEFORE ME THIS THE ____ DAY OF _____, 20____.

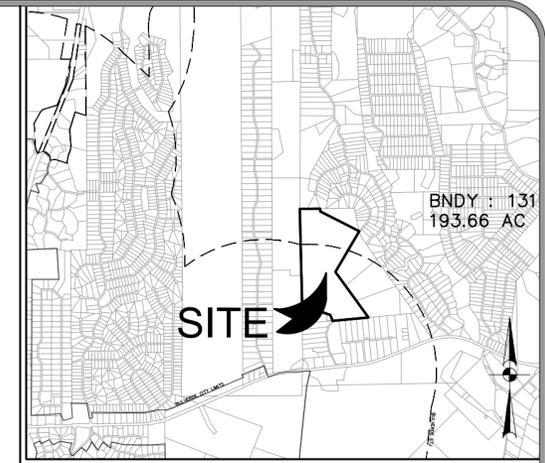
NOTARY PUBLIC, STATE OF TEXAS
PRINT NOTARY'S NAME:

PLAT PREPARED **JULY 8, 2022**

MITCHELL TRACT

BEING A 193.66 ACRE TRACT LOCATED IN THE H. & O.B.R.R. CO. SURVEY NO. 847, ABSTRACT NO. 726, COMAL COUNTY, TEXAS; BEING A PORTION OF THE REMAINDER OF A CALLED 352.977 ACRE TRACT 1 RECORDED IN VOLUME 494, PAGE 184, AND DESCRIBED IN VOLUME 152, PAGE 170, DEED RECORDS, COMAL COUNTY, TEXAS.

- LEGEND:
- = FND 1/2" IRON PIN
 - = SET 1/2" IRON PIN W/ PLASTIC CAP STAMPED "HMT"
 - B.L. = BUILDING SETBACK LINE
 - U.E. = UTILITY EASEMENT
 - D.E. = DRAINAGE EASEMENT
 - R.O.W. = RIGHT-OF-WAY
 - M.P.R.C.C.T. = MAP AND PLAT RECORDS, COMAL COUNTY, TEXAS
 - O.P.R.C.C.T. = OFFICIAL PUBLIC RECORDS, COMAL COUNTY, TEXAS



LOCATION MAP
SCALE 1":5000'

STATE OF TEXAS
COUNTY OF COMAL

KNOW ALL MEN BY THESE PRESENTS: THE OWNER OF THE LAND SHOWN ON THIS PLAT WHOSE NAME IS SUBSCRIBED HERETO, AND IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, HEREBY DEDICATES 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.

PHIL ZACCARIA
21280 GATHERING OAK #108
SAN ANTONIO, TX 78260

STATE OF TEXAS
COUNTY OF COMAL

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED **PHIL ZACCARIA**, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT OF WRITING, 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 THE ____ DAY OF _____ A.D. 20____.

NOTARY PUBLIC, STATE OF TEXAS

(PRINTED NAME)

THIS PLAT OF **MITCHELL TRACT** SUBDIVISION HAS BEEN SUBMITTED TO AND CONSIDERED BY THE COMMISSIONERS COURT OF COMAL COUNTY, TEXAS, AND IS HEREBY APPROVED FOR FILING BY SAID COURT ON _____, 20____.

DATED THIS ____ DAY OF _____, 20____.

BY: _____
COMAL COUNTY JUDGE

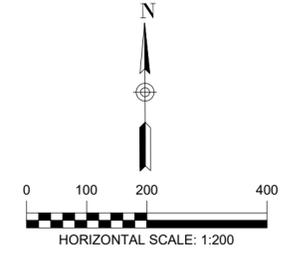
ATTEST: _____
COMAL COUNTY CLERK - DEPUTY

STATE OF TEXAS
COUNTY OF COMAL

I, BOBBIE KOEPP, COUNTY CLERK OF COMAL COUNTY, DO HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD 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, THIS ____ DAY OF _____, 20____.

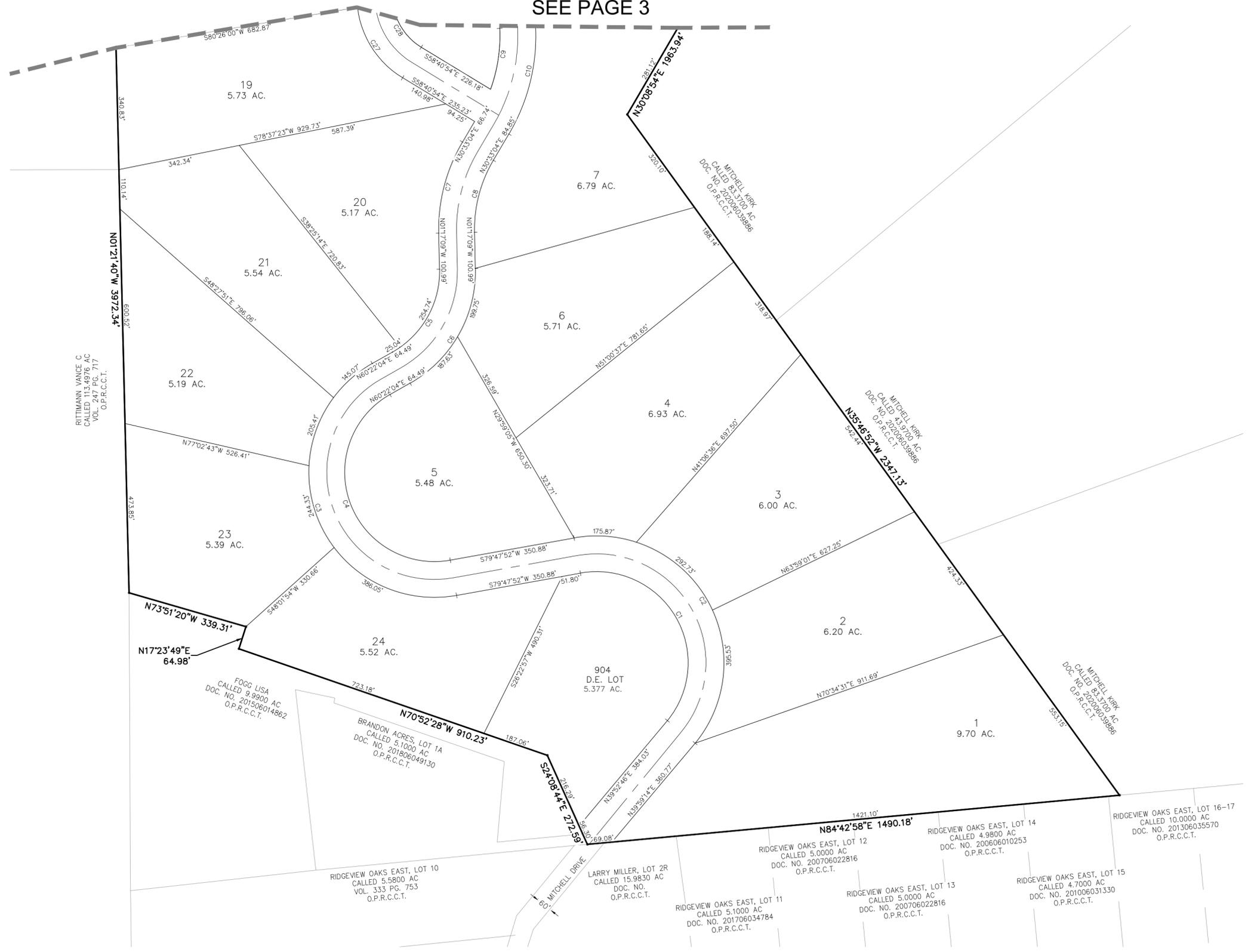
COUNTY CLERK
COMAL COUNTY, TEXAS

BY: _____
DEPUTY



- LEGEND:**
- = FND 1/2" IRON PIN
 - = SET 1/2" IRON PIN W/
PLASTIC CAP STAMPED "HMT"
 - B.L. = BUILDING SETBACK LINE
 - U.E. = UTILITY EASEMENT
 - D.E. = DRAINAGE EASEMENT
 - R.O.W. = RIGHT-OF-WAY
 - M.P.R.C.C.T. = MAP AND PLAT RECORDS,
COMAL COUNTY, TEXAS
 - O.P.R.C.C.T. = OFFICIAL PUBLIC RECORDS,
COMAL COUNTY, TEXAS

**MATCHLINE
SEE PAGE 3**



Drawing Name: T:\402 - Phil Zaccaria\002 - Mitchell Tract\Preliminary Plat\402.002_PRELIMINARY PLAT.dwg User: kolbyp Jul 12, 2022 - 9:09am

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD LENGTH	CHORD BEARING
C1	620.72'	255.00'	139°28'08"	690.63'	478.43'	N30°28'04"W
C2	864.14'	355.00'	139°28'08"	961.46'	666.05'	N30°28'04"W
C3	980.87'	350.00'	160°34'12"	2044.35'	689.96'	S19°55'02"E
C4	700.62'	250.00'	160°34'12"	1460.25'	492.83'	S19°55'02"E
C5	279.78'	260.00'	061°39'13"	155.16'	266.47'	N29°32'28"E
C6	387.38'	360.00'	061°39'13"	214.83'	368.96'	N29°32'28"E
C7	266.72'	480.00'	031°50'13"	136.90'	263.30'	S14°37'57"W
C8	211.15'	380.00'	031°50'13"	108.38'	208.44'	S14°37'57"W
C9	173.46'	440.00'	022°35'14"	87.87'	172.34'	N08°30'57"E
C10	314.12'	540.00'	033°19'43"	161.64'	309.71'	N13°53'12"E
C11	135.60'	300.00'	025°53'55"	68.98'	134.45'	S10°10'18"W
C12	90.40'	200.00'	025°53'55"	45.99'	89.64'	S10°10'18"W
C13	293.22'	445.00'	037°45'14"	152.16'	287.95'	N04°14'38"E
C14	359.12'	545.00'	037°45'14"	186.35'	352.66'	N04°14'38"E
C15	359.40'	540.00'	038°08'00"	186.64'	352.80'	S04°26'01"W
C16	292.84'	440.00'	038°08'00"	152.08'	287.47'	S04°26'01"W
C17	307.50'	250.00'	070°28'27"	176.60'	288.48'	N11°44'13"W
C18	430.50'	350.00'	070°28'27"	247.24'	403.87'	N11°44'13"W
C19	266.97'	82.19'	186°06'57"	-1538.45'	164.14'	S45°19'49"W
C20	578.44'	182.19'	181°54'45"	-10915.41'	364.32'	S45°40'14"W

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD LENGTH	CHORD BEARING
C21	210.15'	491.54'	024°29'46"	106.71'	208.55'	N22°09'24"W
C22	261.96'	591.54'	025°22'24"	133.16'	259.83'	N22°14'22"W
C23	339.71'	900.00'	021°37'37"	171.90'	337.70'	N04°55'34"E
C24	377.46'	1000.00'	021°37'37"	191.00'	375.22'	N04°55'34"E
C25	440.45'	1000.00'	025°14'09"	223.86'	436.90'	S03°07'18"W
C26	396.41'	900.00'	025°14'09"	201.47'	393.21'	S03°07'18"W
C27	242.53'	265.14'	052°24'31"	130.49'	234.16'	S32°28'38"E
C28	153.54'	165.14'	053°16'12"	82.82'	148.07'	S32°02'48"E

REVIEW MEMORANDUM

TO: Ryan Shaw, P.E.
HMT Engineering & Surveying
290 Castell Avenue, Suite 100
New Braunfels, TX 78130

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

SUBJECT: Mitchell Tract Preliminary Plat Review
PC-22-27

DATE: July 25, 2022

Half Associates, on behalf of the City of Bulverde, has performed a review on the Mitchell Tract Preliminary Plat, a 193.66-acre tract of land, dated July 8, 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 listed below before resubmittal.

Plat Document Review [Sec. 1.05(b)]:

1. Scale of the plat cannot exceed 1 inch = 200 ft [Sec. 1.05(b)(ii)(3)].
2. Include the name of the entity that owns the subject tract of land (for which Phil Zaccaria is signing).
3. Include Lienholder name and address if applicable [Sec. 1.05(b)(ii)(6)].
4. Add Engineer's certification to plat [Sec. 1.05(b)(ii)(8)].
5. Indicate the dimension of the road right-of-way and clarify if it will be dedicated to the public or be a private street (some notes on plat refer to private streets).
6. Include the acreage of right-of way dedication and total length of all roads in linear feet [Sec. 1.05(b)(ii)(10)].
7. Show setback lines on the plat in accordance with Sec. 2.03(c)(iii).
8. Block numbers required for each proposed lot [Sec. 1.05(b)(ii)(12)].
9. Show street names for all streets and roads [Sec. 1.05(b)(ii)(13)].
10. Provide bearing and distance from a corner of the plat to a corner of the original tract or survey [Sec. 1.05(b)(ii)(14)].
11. A minimum of two corners of the subdivision shall be referenced to State Plane Coordinates [Sec. 1.05(b)(ii)(15)].
12. Show ETJ line where it crosses the subdivision [Sec. 1.05(b)(ii)(16)].
13. Show contour elevations per Sec. 1.05(b)(ii)(17) and add a reference indicated the datum for the vertical control used.
14. Correct the 60-ft dimension for the existing Mitchell Drive section.
15. Add label and dimension for Eagles View Drive.
16. Use grey dashed lines for lots and features outside of the plat boundary [Sec. 1.05(b)(ii)(20)].
17. Indicate locations of utility and drainage easements on plat [Sec. 1.05(b)(ii)(20)].
18. Label the plat with the words "Subdivision Plat" [Sec. 1.05(b)(ii)(23)].



- 19. Add slope easements as required according to the updated slope map (see comment 41 below).
- 20. Show required riparian buffers as dedicated open space (see comment 33 below).
- 21. Update plat note #13 to refer to the County engineer, instead of the City engineer.
- 22. Update plat note #23 to reflect the appropriate impervious cover limitations used in the design for improvements within this subdivision.
- 23. Add note on Sheet 1 that notes on plat apply to all pages of the plat document.
- 24. Remove County Judge Signature Block and replace it with the Bulverde Planning & Zoning and Directors signature blocks as shown below with the plat name included 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

Design Comments:

- 25. Minimum lot frontage is 209-ft [Sec. 2.03(c)(iv)(1)].
- 26. Indicate and dedicate the required parkland for this subdivision [Sec. 2.03(e)].
- 27. Minimum centerline radius for a rural local street is 200-ft. Curve at the far north end of the subdivision (centerline between C19 & C20) appears to only be 132-ft [Sec. 2.04(e)(i)].
- 28. Roadway centerline should avoid "S" curves where possible by providing tangent pieces meeting code requirements. Reference Sec. 2.04(e)(iv) and adjust centerline alignment.
- 29. Intersection right-of-way radii shall meet requirements of Sec. 2.04(e)(vii).
- 30. Right-of-way should be dedicated at the end of Eagles View Drive to maintain the ability for public access to the adjacent Armstrong Living Trust tract on the north end of the subdivision.

31. Plat boundary differs from Comal County Appraisal District website information at the connection point to Mitchell Drive. Please ensure accurate boundary information is presented on the plat and full access to Mitchell Drive is available for roadway extension.

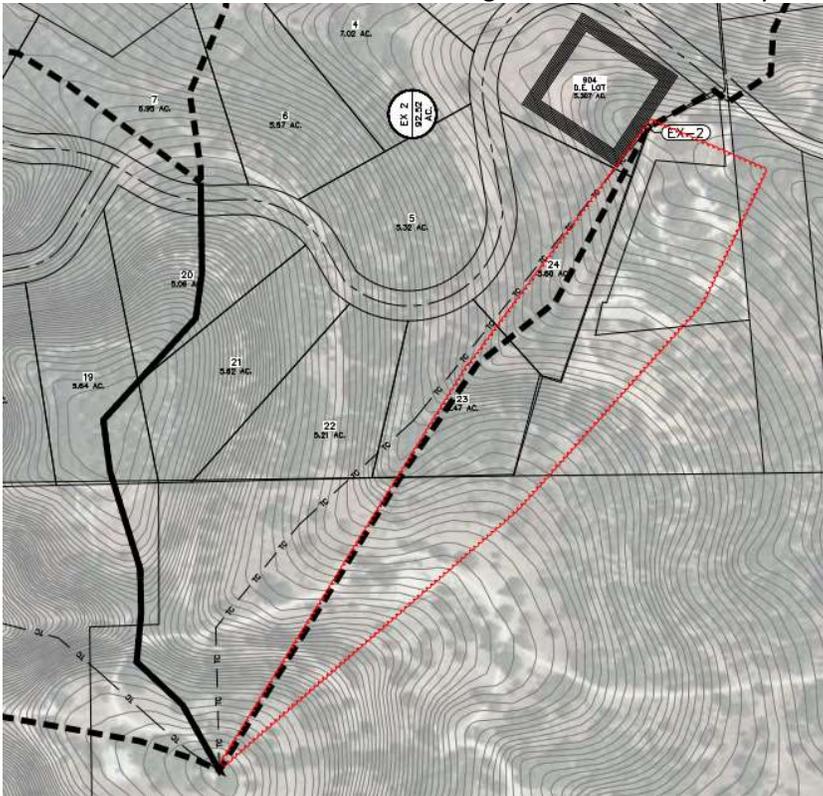


32. Per the Environmental assessment, two water wells are present on-site and should be identified on the plat/utility plan.

Drainage Analysis:

33. Provide a Riparian Buffer Conservation Submittal, per Section 4.07(d). Riparian buffer required for 60 feet on either side of the centerline of the natural watercourse (120' total width) that drains greater than 25 acres.
34. Show location of anticipated drainage easements and storm channels / storm drains required to convey water to the proposed detention ponds. Provide hydraulic analysis so that drainage easement sizes can be confirmed to meet Sec. 2.03(d)(iv).
35. Explain how times of concentration values are increasing in the proposed project scenario/calculations. It appears some routing through new channels will be proposed. See note #10 above regarding calculations required.
36. Manning's n-value used for time of concentration, channel flow, seems low (0.026 used). Value should follow guidelines in table 5.4 for open channel flow.
37. Outside drainage study boundary changes from Existing to Proposed conditions. The total area being studied should remain the same, though internal divisions can be modified with points calculating totals.

38. Drainage boundary for EX-2 seems to follow the low point and there is off-site area coming onto the site in this location. Consider dividing Area Ex-2 for the analysis or clarify in another way.



Slope Map

39. Revise slope map to indicate slopes using 10-ft contours, as described in Section 4.04(c).
40. Summarize the number of acres and the number of acres disturbed by the current road layout within each slope category to verify requirements of Section 4.04(e).
41. Slope areas greater than 25% shall be dedicated as Slope Easement, per Section 4.04(g).

Traffic Impact Analysis – The provided information is adequate. No comments at this time.

Water & Sewer Study – The provided information is adequate. No comments at this time.

Public Utility Certification:

42. Per section 1.04(c), please provide proof of contacting Gas Utility, Emergency Services, Comal County and Edwards Aquifer Authority, or a statement on why they do not apply.

Environmental Assessment:

43. The provided environmental assessment does not provide information regarding potential environmentally sensitive features and endangered species habitat, as required by Section 4.01(b). Please provide this additional information.

44. The national wetlands mapper shows wetlands on-site and around the existing ponds. If verified by a certified specialist, these need to be protected by buffers or documentation will need to be provided from the USACE permitting the disturbance/removal of wetland areas.:





PLANNING AND ZONING COMMISSION ITEM:
SUP-22-05
SPECIAL USE PERMIT
810 Persimmon Hill

MEETING DATE: August 11, 2022
DEPARTMENT: Planning & Development
PRESENTED BY: Susana Huerta, AICP, Planning Director

REQUEST:
Hold a public hearing and consider a request by Robert Valdez for approval of a Special Use Permit for a Bed and Breakfast at 810 Persimmon Hill.

APPLICANT:
Robert Valdez
810 Persimmon Hill
Bulverde, TX 78163

PROPERTY INFORMATION:
Address: 810 Persimmon Hill, Bulverde, TX 78163
Legal Description: Lot 65, Persimmon Hill 3 Subdivision
Owner: Robert Valdez
Existing Land Use: Single-Family Residence
Existing Zoning: R-1, Residential District

NOTICE:
Public Notice: July 21, 2022
Personal Notice: July 29, 2022

Staff sent 6 Personal Notices to properties within a 200 feet buffer of the subject property. As of present, Staff received no letters of support and no letters of opposition.

IN SUPPORT: 0
IN OPPOSITION: 0

SUMMARY:
The applicant requests a Special Use Permit to operate a Bed and Breakfast Inn on an approximately 5.0-acre lot located at 810 Persimmon Hill, Bulverde, TX.

BACKGROUND:

The applicant has applied for and received a building permit for interior remodeling for bedrooms and additional living area in February 2021. The applicant is now requesting a Special Use Permit to operate a Bed and Breakfast at 810 Persimmon Hill.

ANALYSIS:

According to the table of permitted uses in Section 14.04.002, a Bed and Breakfast Inn is allowed by right in commercial zoning districts (C-1, C-2, and C-3), and it is only allowed in agricultural (AG) and residential zoning districts (R-1, R-2, and R-3) with the approval of a special use permit. Prior to operating a Bed and Breakfast Inn, a certificate of occupancy must be issued by the City. The City’s zoning ordinance defines a Bed and Breakfast Inn as: *A facility, often a private home, but including a hotel, offering a room for the night and breakfast the next morning for one inclusive price.*

Food that is prepared or sold for public consumption, however, will also require applicable health inspections and permits. The applicant does not mention breakfast, or any other meals being prepared or served to his guests in the written statement provided. The applicant states in the provided narrative that “the bed and breakfast arrangement will essentially provide short-term rentals and will be listed through a reservation service such as Airbnb or Vrbo.” Short-Term Rentals are different from Bed and Breakfast establishments in that prepared meals are typically not provided.

STAFF RECOMMENDATION:

Staff typically does not make a recommendation to the Planning and Zoning Commission or City Council, but respectfully requests that the following conditions be added if the request is granted:

1. All permit applications submitted for this property are subject to the requirements of the Code.
2. Approval of this special use permit does not constitute approval of any building permits associated with this property.
3. The proposed Bed and Breakfast shall not have a negative effect on the health, safety, or welfare of the public or surrounding properties.
4. No other special uses are allowed under this special use permit.

CONSIDERATIONS FOR EVALUATION:

City Code provides direction to the Planning and Zoning Commission and the City Council regarding the procedures and considerations involved in potentially granting any Special Use Permit. More specifically, Section 14.01.019(d) of the Code of Ordinances states:

“Every special use permit granted under the provisions of this article shall be considered as an amendment to the zoning ordinance and zoning map as applicable to such property, and shall be adopted as a separate ordinance. In granting such permit, the city council may impose such conditions as may be necessary to promote and protect the public health, safety, order, morals, convenience, prosperity and general welfare. Said conditions shall be complied with by the grantee before a certificate of occupancy may be issued...”

ATTACHMENTS:

- A. Application

- B. Statement of Purpose
- C. Site Plan

July 8, 2022

In accordance with the zoning rules, I am submitting my application for Special Use Permit (SPU) to operate the Bed and breakfast (as described in the ordinance).

1. Purpose of the Request

During 2021, we completed an interior remodel of the upstairs area of our home. With the remodel completed, we are considering a portion of the upstairs area to be utilized as a bed and breakfast. The rooms used for this purpose would include Bedroom 2, Living Area and the Kitchen Area (see Exhibit A - drawing of the upstairs). There is also an outdoor deck that leads to this area with outside access to the deck from an outdoor stairway. The bed and breakfast arrangement will essentially provide short-term rentals (average stay ranges from 1-4 nights) and will be listed through a reservation service such as Airbnb or Vrbo.

2. Site Plan

- a. Site plan of referenced Upstairs Area with approximate square footages and proposed use of area (See Exhibit A). This area is in the upstairs of our primary residence.
- b. Site drawing from original survey (See Exhibit B). This shows proposed parking area to the left of the house.
- c. Location and uses of buildings within 200 feet - the only other existing structure within 200 feet of primary residence is the Well House (shown on the survey drawing).
- d. Existing zone district classifications within 200 feet - I am unaware of any other existing zone classifications within 200 feet of house.
- e. 100-year flood plain - per the survey, the indicated lot is not located on any existing floodplain or floodway.

3. Landscape Buffering Plan

The front and sides of this lot have numerous trees which naturally provide buffering and privacy to the residence. No further landscaping is needed or planned.

4. Tree Preservation and Replacement Plan

No tree removal is needed or planned.

I trust that you will find everything in order for this Special Use Permit request. Thank you for your consideration.



Robert Valdez
810 Persimmon Hill
Bulverde, TX 78163
210-632-0176



Application for Special Use Permit (SUP)

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

Date: JULY 5, 2022

Case No. _____

Applicant Information:

ROBERT VALDEZ 210-632-0176
Name Phone Fax
810 PERSIMMON HILL, BULVERDE, TX 78163 bvaldez@gvtc.com
Address Email

Property Owner Information:

ROBERT VALDEZ 210-632-0176
Name Phone Fax
810 PERSIMMON HILL, BULVERDE, TX 78163 bvaldez@gvtc.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: 810 PERSIMMON HILL, BULVERDE, TX 78163
Legal Description: PERSIMMON HILL 3, LOT 65
Use Requested: BED AND BREAK FAST

The Following Must Be Submitted with Application:

1. A written statement describing the purpose and specific conditions of the request.
2. A site plan meeting the following minimum specifications:
 - a. Drawn to scale; indicating applicable buildings with approximate square footages and proposed uses.
 - b. Site ingress and egress, including interior traffic circulation patterns and parking/loading areas
 - c. Location and uses of existing buildings within 200 feet (may be shown on separate plan/aerial photograph)
 - d. Existing zoning district classifications within 200 feet (may be shown on separate plan)
 - e. The 100-year floodplain if present on the property
3. A landscape/buffering plan meeting the following minimum specifications:
 - a. Drawn to scale; indicating proposed landscaping, including the size, species and locations.
 - b. Other visual screening methods and their design, such as fences
4. A Tree Preservation and Replacement Plan must be submitted meeting the specifications of the Zoning Ordinance if development will necessitate removal of trees or affect the driplines of existing trees.

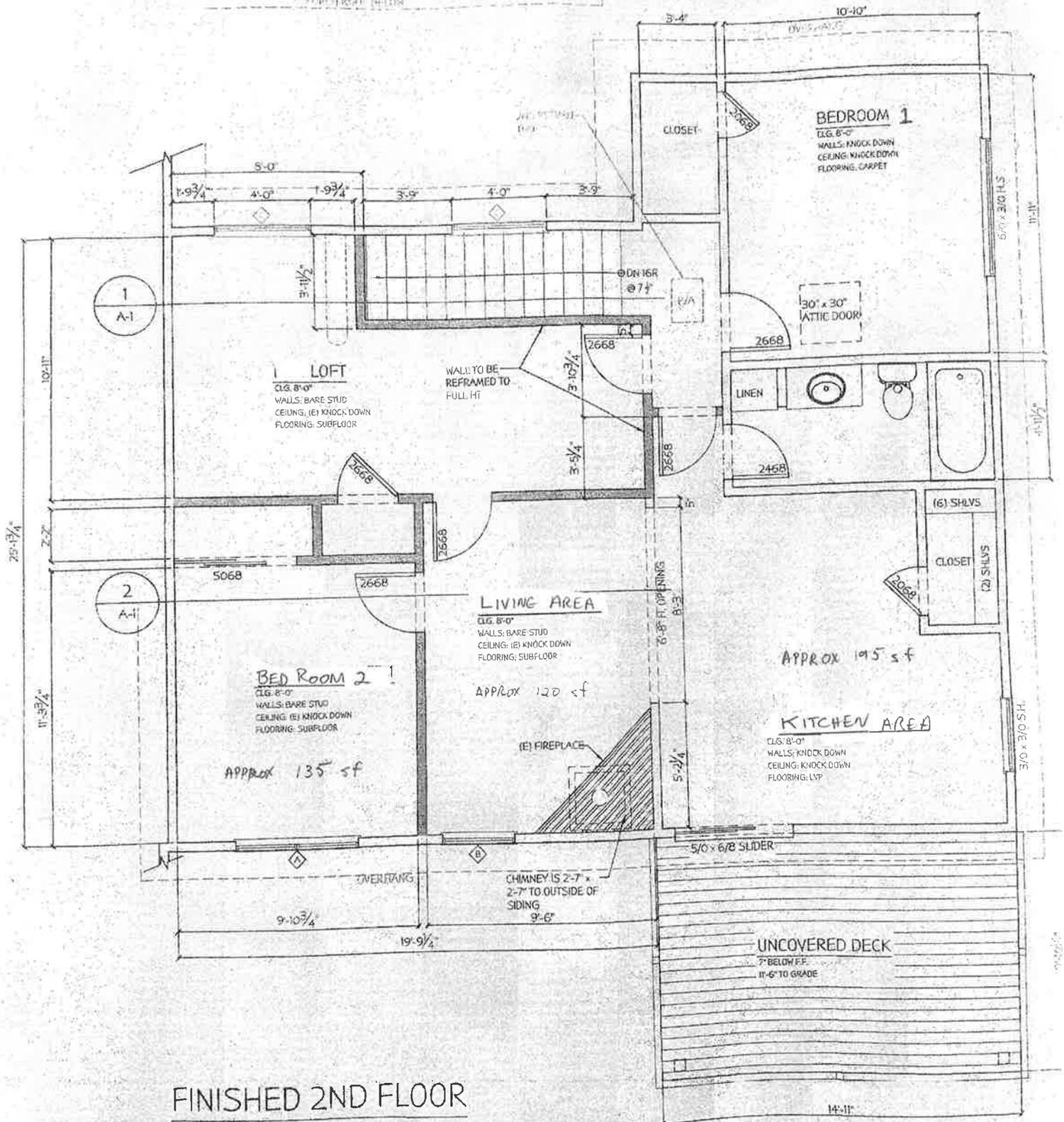
** Other items, including, but not limited to architectural renderings, traffic impact studies and noise studies may be requested. In addition, the Planning and Zoning Commission and City Council may request additional information by majority vote to render an informed decision.*

The undersigned agrees to pay the **non-refundable** application fee and any other applicable fees as outlined in the 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.

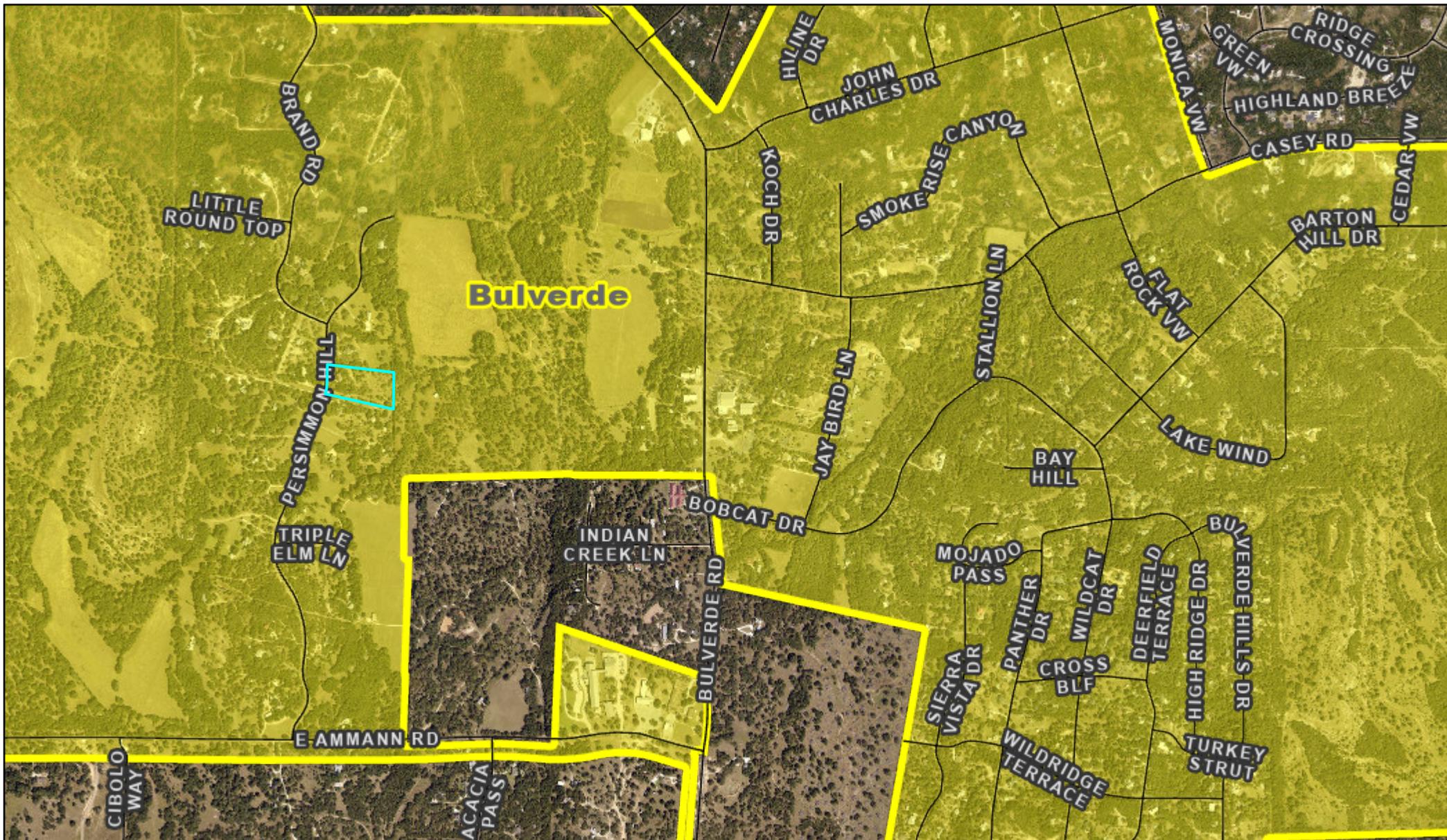
Robert Valdez
Signature of Owner/Applicant

JULY 5, 2022
Date

Fees:
Special Use Permit Review Fee - \$750.00

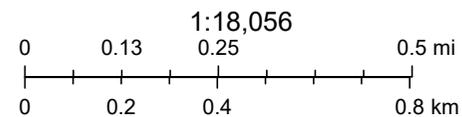


FINISHED 2ND FLOOR
SCALE: 1/4"=1'-0"



7/29/2022, 10:13:47 AM

-  Texas County Boundary
-  Streets
-  Bulverde
-  Comal Boundary



0894 0634

416814

FILED FOR RECORD

93 JUN 18 AM 10:29

DECLARATION
OF
COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS

JOY STREATER
COUNTY CLERK COMAL COUNTY

BY Jo Burt
18.00p.

PERSIMMON HILL SUBDIVISION

STATE OF TEXAS §
 §
COUNTY OF COMAL §

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, BULVERDE OAKS, LTD. ("Developer") is the owner of a 44.4 acre tract of land located in Comal County, Texas, which has been subdivided and platted of record as PERSIMMON HILL SUBDIVISION, Unit 1, in Volume 10, Page 262 of the Map and Plat Records of Comal County, Texas, which 44.4 acre tract is referred to herein as "Unit 1"; and

WHEREAS, Unit 1 comes out of a 360.55 acre, more or less, tract of land owned by Developer, parts of which Developer subsequently may subdivide and plat of record as additional units within the Persimmon Hill Subdivision, such 360.55 acre tract of land being more particularly described in that certain Special Warranty Deed to Bulverde Oaks, Ltd., dated May 27, 1993, and recorded in Volume 890, at Pages 0094-0096 of the Official Public Records of Comal County, Texas; and

WHEREAS, it is the desire and intention of the Developer to restrict not only Unit 1, but also any and all of the remainder of the above described 360.55 acres which is subjected to this Declaration of Covenants, Conditions, Easements and Restrictions (the "Declaration") by virtue of a duly recorded plat in accordance with the terms hereof (Unit 1, together with any and all parts of the 360.55 acres which subsequently are subdivided and annexed hereto, being hereinafter referred to as the "Subdivision");

WHEREAS, it is the desire and intention of the Developer that all of the Subdivision shall be restricted according to a common plan as to use and permissible construction, so that all of the Subdivision shall be benefitted and each successive owner of all or any part of the Subdivision shall be benefitted by the preservation of the value, character and desirability of the Subdivision;

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements contained herein, and expressly for the benefit of and to bind the Developer, its successors and assigns, and in order to create and carry out a general and uniform plan for the development, improvement and use of lots within the Subdivision, the Developer hereby declares that all of the Subdivision shall be held, sold and conveyed subject to the following easements, restrictions, covenants and conditions:

1. Scope of Restrictions: The covenants, conditions, restrictions and easements herein set forth shall constitute COVENANTS RUNNING WITH THE LAND and shall be binding upon Developer, its successors and assigns, and upon all persons or entities acquiring an individual lot or lots or all or any portion of the Subdivision, whether by purchase, descent, devise, gift or otherwise, and each such person or entity, by the acceptance of title to any of the Subdivision, shall thereby agree and covenant to abide by the covenants, conditions, easements and restrictions set forth herein and to perform the covenants hereby imposed on owners of the lots within the Subdivision.

2. Annexation: From time to time the Developer may wish to subdivide additional land within the above described 360.55 acres. Such subdivided lands may be annexed to this Subdivision by the Developer. The annexation shall be evidenced simply by identifying the land to be annexed as PERSIMMON HILL SUBDIVISION, Unit ____ (with the appropriate unit number being inserted) on the Plat which is recorded in Comal County. Any of the 360.55 acres which is platted of record under the name "Persimmon Hill" shall thereby be annexed to this Subdivision and shall thereby be subjected to the terms of this Declaration.

3. Residential Use: All lots within the Subdivision are hereby restricted exclusively to single-family residential use. No structures shall be erected, placed or maintained on any lot other than a conventionally constructed single-family private residence with such accessory structures and buildings as a barn, garage, cabana, guest house and/or servant's quarters; provided, however, no such accessory structures and buildings may be constructed until the residence has been completed. Not more than one single-family residence may be erected on a lot. The term "conventionally constructed single-family private residence" shall exclude specifically mobile homes, house trailers, modular homes and move-on homes. Recreational vehicles are permitted to be kept on the lot after construction of the residence, however, if such vehicles are screened from view of neighbors and from the street and are stored behind the set-back lines. This covenant shall not prevent Developer from erecting and maintaining such temporary structures as are customary in connection with a sales program in residential subdivisions. As used in this Declaration, the term "lot" refers to any numbered plot of land shown upon a recorded plat of any portion of the Subdivision and to any smaller parcel(s) into which such a lot may be divided in the future in accordance with the terms hereof.

4. Restriction on Further Subdivision: No lot shall be re-subdivided or conveyed or encumbered in any size less than the full dimensions shown on the originally recorded plat of each respective unit of the Subdivision, unless the specific approval of the below-described Architectural Control Committee (the "Committee") has been obtained.

5. Set-back Lines: No structure shall be located on any lot nearer than seventy-five feet (75') to any front or rear boundary line nor nearer than fifty feet (50') to any side lot line; except that if a residence is constructed on a homesite consisting of more than one lot, the combined area shall be considered as one lot for purposes of this provision. In the event a lot is re-subdivided or conveyed or encumbered in a size less than the full dimensions shown on the originally recorded plat of the Subdivision unit in which the lot is located, these set-back lines shall apply to each of the smaller lots. These set-back lines may be relaxed by the Committee, if, in its sole discretion, the prescribed distances are not feasible and the set-back lines may be reduced without adversely affecting the neighbors or the integrity of the Subdivision.

6. Size: No residence erected on a lot shall have a living area of less than 1650 square feet of living area, exclusive of porches, garages or other appendages.

7. Utility Easements: Perpetual easements are hereby reserved and dedicated over and across the streets in the Subdivision and over and across a twenty foot (20') strip along each side, front and rear lot line for the purpose of installing, maintaining and repairing, or conveying to proper parties so that they might install, maintain and repair electric power, gas, telephone, drainage and/or any other similar utility lines, facilities, and services for the lots in the Subdivision. The easements reserved and dedicated hereby shall be for the general benefit of the Subdivision. These easements shall inure to the benefit of, and may be used by, any public or private utility company entering into and upon the Subdivision for such purposes, without the necessity of any further grant of such easement rights to such utility companies. If any platted lot is re-subdivided into any size less than its full dimensions as shown on the originally recorded plat covering that lot, each such smaller lot shall be subject to similar twenty foot (20') utility easements immediately within and adjacent to its perimeter. The Developer is in no way obligated to install any such utilities.

8. Platted Easements: In addition to those set forth in this Declaration, each lot shall be subject to all easements, set-back lines, covenants and restrictions set forth on the recorded plat covering that particular lot.

9. Sight Lines: No shrub, tree, fence or wall that obstructs sight lines at elevations between two (2) and six (6) feet above the roadway shall be constructed, planted or permitted to remain on any lot corner within the triangular area formed by the curb lines of such intersecting streets, or the extensions thereof, and a line connecting such curb line at points twenty-five feet (25') back from their intersection. The same sight line limitation shall apply on any lot within ten feet (10') of the intersection of a street curb line and the edge of a driveway or alley. No trees shall be permitted to remain within such distances of such intersections unless the foliage line is maintained at a height of more than six feet (6').

0894 0636

above ground level.

10. Sewerage: No outside toilets shall be used, constructed or permitted. No installation of any kind for disposal of sewerage shall be constructed or maintained which would result in treated or untreated sewerage or septic tank drainage being drained onto or into the surface of any part of the Subdivision, or onto or into any body of water located on the Subdivision. No means of sewerage disposal may be installed, used or maintained except a septic tank, or a similar or improved means of sanitary sewerage disposal, which meets the requirements of and is approved by all governmental authorities having jurisdiction thereof. No structure placed upon a lot shall be used until sanitary sewerage disposal facilities complying with this paragraph have been completely finished. The Committee shall have the right to specify the location, orientation and drainage field of any such means of sanitary sewerage disposal, subject to the approval of all governmental authorities having jurisdiction thereof.

11. Appearance: All improvements shall be maintained in a neat and orderly manner and their appearances, both before, during and after construction, shall be subject to the review and approval of the Committee. In the event an owner of a lot should fail to maintain the premises and improvements situated thereon in a neat and orderly manner, Developer and/or the Committee shall have the right (and each is hereby granted a license for this purpose), but not the obligation, through its agents and/or employees to enter upon the lot and to repair, maintain and restore the lot and exterior of the buildings and any other improvements erected thereon to a neat and orderly manner, all at the expense of the owner of such lot.

12. Hunting and Firearms: No hunting, including, but not limited to, bow hunting, shall take place within the Subdivision. No firearms may be discharged thereon at any time.

13. Nuisances: No noxious, offensive, undesirable, unlawful or immoral activity shall be conducted on any lot, nor shall anything be done or permitted to be done thereon which may be or become a nuisance or annoyance to the owners of adjacent lots or to the Subdivision as a whole. Any determination by the Committee that an activity is noxious, offensive, undesirable or immoral shall be final and binding on all parties.

14. Garbage and Trash Disposal: No trash, garbage, construction debris, rubbish, abandoned or junk cars or other refuse may be dumped, disposed of or maintained on any lot, vacant or otherwise. Any temporary trash, garbage and other waste shall be kept in a clean, sanitary and sightly condition. No refuse shall be burned on any lot during construction of improvements, or at any other times, except in a safe incinerator; and unless so burned, all refuse shall be removed by the lot owner. All incinerators or other equipment for the temporary storage and disposal of such material shall be kept in a clean and sanitary condition.

15. Storage of Building Materials: No building materials of any kind shall be placed or stored upon any lot except during construction; and then such materials shall be placed within the property lines of the lot on which the improvements are to be erected. All such building and construction materials must be removed within ninety (90) days of occupancy of the structure.

16. Animals: Livestock and normal household pets may be kept on a lot, with the exception of poultry and swine. This exclusion of poultry and swine, however, does not apply to "Vietnamese Pot Belly Pigs" which are kept by the lot owner strictly as pets, nor to raising "ratitae" (emus, rheas, and ostriches). Any animal or poultry raised for an FFA, 4-H or similar organization or for a school project, however, may be bred and kept on a lot, if first approved in writing by the Committee. However, no animals nor poultry may be kept on a lot unless they are restricted to the lots of their owners by fences or other enclosures or restraints and not allowed to run at large; nor may they be kept if they become offensive or a nuisance by virtue of their numbers, sight, odor or noise. If a question arises as to whether an animal or poultry (individually or considered together) is offensive or a nuisance, the Architectural Control Committee shall make the determination and its determination shall be final and binding on all parties. It is specifically understood and agreed that the

owners of any livestock, pets or ratitae kept on any lot, shall be strictly liable for any damages done to the property or person of any third party by such livestock, pets or ratitae which may occur outside the lot's fence lines.

17. Signs: No signs or advertisements may be displayed on any lot except to advertise its sale. No more than one sign advertising a lot for sale shall be displayed on any one lot and such sign shall be no larger than five square feet (5').

18. Oil, Gas and Mineral Development: No oil or gas drilling, exploration or development operations, oil or gas refining or treatment, quarrying or mining operations of any kind shall be permitted on a lot, nor shall oil wells, tanks, tunnels, mineral excavations or shafts be permitted on any lot. No derrick or other structure designed for use in boring for oil, natural gas or other minerals shall be erected, maintained or permitted on any lot.

19. Caves and Sinkholes: NATURAL CAVES AND SINKHOLES MAY OCCUR ON SOME OF THE LOTS IN THE SUBDIVISION. EACH PROSPECTIVE LOT OWNER SHOULD PERSONALLY INSPECT THE LOT IN WHICH HE IS INTERESTED TO ASSURE HIMSELF OF THE LOCATION OF ANY SUCH CAVES AND/OR SINKHOLES WHICH MAY BE LOCATED THEREON.

20. Culverts. The headwalls of any culvert which is constructed adjacent to the public road to provide access between the lot and such public road shall be of concrete or masonry.

21. Architectural Control Committee: All improvements on each lot shall be subject to the review of an Architectural Control Committee (hereinafter referred to as the "Committee") as follows:

a. The initial member of the Committee shall be James Ritchie McCulloch, III, currently of San Antonio, Texas. The Committee may designate a representative to act for it at any time or for any period. In the event of the death or resignation of any member of the Committee, the remaining member(s) may act without filling the vacancy or shall have full authority to designate a successor. Neither the member(s) of the Committee, nor its designated representative, shall be entitled to any compensation for services performed hereunder. In the event of the death or resignation of all member(s) of the Committee prior to the appointment of a successor, a new Committee of not less than three nor more than five persons shall be appointed to exercise the powers herein defined, such appointment to be evidenced by a duly recorded instrument executed by the owners of fifty-one percent (51%) or more of the Subdivision (by area).

b. No building, structure, fence, wall, well, septic tank system or other improvement shall be commenced, erected, placed or maintained on any lot, nor shall any addition to or change or alteration therein be made, until the construction plans and specifications, and a plot plan showing the location of all such structures and all appurtenances thereto, have been submitted to and approved by the Committee as to compliance with quality of workmanship and materials, harmony of external design with existing structures and the general plan of development, and as to location with respect to property lines, building lines, easements, existing and proposed water wells and septic tank systems, topography and finish grade elevation.

c. Construction plans and specifications submitted to the Committee shall be in such form as it may require and shall include, at a minimum, plans of all floors and levels involved, elevations of all sides of the proposed structure, a section through the structure to explain the relationship of the floor levels and stairs, notes or specifications describing the materials to be used on the exterior and location of the proposed improvements or alterations thereto on the lot.

d. The Committee's approval or disapproval or other action

as required in these covenants shall be by majority vote, shall be evidenced in writing and shall be delivered in person or by registered or certified letter addressed to the requesting party at an address which must be supplied with the submission. In the event the Committee should fail to approve or disapprove the plans, specifications and plot plans within ninety (90) days after they have been submitted to it, it will be presumed that the same have been approved, provided the same were submitted to the Committee in writing by certified mail, return receipt requested, with an address provided to which the reply should be mailed. The judgment of the Committee in the exercises of its discretion in this respect shall be final and conclusive. Under no circumstances shall the Committee or any of its members be subject, jointly or severally, to any suit by anyone for money damages or otherwise.

c. Plans for fencing must be submitted to the Committee for approval or disapproval. Chain link fencing may be used for enclosures within the lot's property lines, provided such chain link fence does not encroach upon the front, back or side set-back lines. No chain-link fence shall be allowed or approved which is located on the perimeter of a lot or which encroaches upon the lot's front, back or side set-back lines.

f. Construction of any structure approved by the Committee shall commence within six (6) months of such approval; and the completion of such construction must be accomplished within nine (9) months of the commencement of such construction.

22. Enforcement: Developer, its successors and assigns, shall have the right, but not the obligation, to enforce observance and performance of the restrictions, easements, covenants and conditions contained herein and, in order to prevent a breach or to enforce the observance or performance of same, shall have the right, in addition to all other legal remedies provided herein or by law, to an injunction, either prohibitive or mandatory. The Committee, as well as the owner of any lot or lots in the Subdivision, likewise shall have the right either to prevent a breach of any such restriction or covenant or to enforce the performance thereof. Acquiescence in any violation shall not be deemed a waiver of the right to enforce against the violator or others the conditions so violated or any other conditions.

23. Limitations of Liability: Neither the Developer, nor the Architectural Control Committee, nor any member of such Committee, shall be liable in damages or otherwise to anyone submitting plans, specifications and plot plans for approval or to any owner of a lot in the Subdivision by reason of mistake of judgment, negligence or nonfeasance arising out of or in connection with the approval or disapproval or failure to approve or to disapprove any plans, specifications, plot plans or other matters submitted to it or arising out of any other action taken or not taken by them, jointly or severally, pursuant to the provisions of this Declaration.

24. Partial Invalidity: Invalidation of any of these covenants, conditions, easements or restrictions (by court judgment or otherwise) shall not affect, in any way, the validity of all other covenants, conditions, easements and restrictions contained herein.

25. Laws and Regulations: All owners of any lots within the Subdivision shall at all times comply with all applicable laws, regulations and ordinances of municipal, county, state, federal or other governmental authorities.

26. Texas Veterans Land Board: It is anticipated that some of the lots within the Subdivision shall be sold to veterans through the Texas Veterans Land Board Program. Notwithstanding anything to the contrary contained herein, these restrictions shall not, and shall not be construed to, prevent the Texas Veterans Land Board from deeding one acre to a veteran for a homesite in order that he might construct a residence thereon. Nor shall these restrictions be construed to charge or assess any fees to the Texas Veterans Land Board. (Notice : Any lot which has less than 80 feet of frontage on a county road will not be eligible for subdivision according to current Comal County Subdivision Rules and Regulations, for those Regulations currently require a lane not less than 40' wide to provide

