

## CITY OF FAIR OAKS RANCH

# PLANNING AND ZONING COMMISSION MEETING

Thursday, November 10, 2022 immediately following the 6:30 PM Joint Public Hearing  
Public Safety Training Room in the Police Station, 7286 Dietz Elkhorn, Fair Oaks Ranch

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## AGENDA

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### OPEN MEETING

1. Roll Call - Declaration of a Quorum
2. Pledge of Allegiance

### CITIZENS and GUEST FORUM

*To address the Commission, please sign the Attendance Roster located on the table in the foyer of the Public Safety Training Room. In accordance with the Open Meetings Act, the P&Z Commission may not discuss or take action on any item which has not been posted on the agenda. Speakers shall limit their comments to five (5) minutes each.*

3. Citizens to be heard.

### CONSENT AGENDA

All of the following items are considered to be routine by the P&Z Commission, there will be no separate discussion on these items and will be enacted by one motion. Items may be removed by any Commissioner by making such request prior to a motion and vote.

4. Approval of the October 13, 2022 City Council and Planning and Zoning Commission Joint Public Hearing Minutes.

Christina Picioccio, TRMC, City Secretary

5. Approval of the October 13, 2022 Planning and Zoning Commission Regular Meeting Minutes.

Christina Picioccio, TRMC, City Secretary

### CONSIDERATION / DISCUSSION ITEMS

6. Consideration and possible action of a rezoning request from the applicant Bright Lakes Real Estate, on behalf of the property owner Esther Hicks to change the zoning classification of approximately 17 acres from Existing Residential Three (R3) to Mixed Use Village (MU). Generally located north-east of the intersection of Old Fredericksburg Road and I-10 Frontage Road.

Katherine Schweitzer, P.E., Manager of Engineering Services  
Lata Krishnarao, AICP, LEED ND, Consultant, Ardurra

**CONSIDERATION / DISCUSSION ITEMS**

7. Update regarding the the City of Fair Oaks Ranch Unified Development Code.

Katherine Schweitzer, P.E., Manager of Engineering Services  
Lata Krishnarao, AICP, LEED ND, Consultant, Ardurra

**ADJOURNMENT**

*Request for P&Z commission topic needing information/research*

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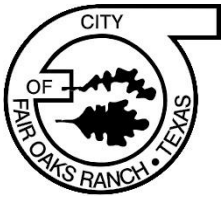
**Signature of Agenda Approval:** s/Tobin E. Maples

Tobin E. Maples, AICP, City Manager

I, Christina Picioccio, TRMC, City Secretary, certify that the above Notice of Meeting was posted on the outside bulletin board at the Fair Oaks Ranch City Hall, 7286 Dietz Elkhorn, Fair Oaks Ranch, Texas, and on the City's website [www.fairoaksranchtx.org](http://www.fairoaksranchtx.org), both places being convenient and readily accessible to the general public at all times.

As per Texas Government Code 551.045, said Notice was posted by 6:30 PM, November 7, 2022 and remained so posted continuously for at least 72 hours before said meeting was convened.

<p>The Fair Oaks Ranch Police Station is wheelchair accessible at the front main entrance of the building from the parking lot. Requests for special services must be received forty-eight (48) hours prior to the meeting time by calling the City Secretary's office at (210) 698-0900. Braille is not available.</p>
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## CITY OF FAIR OAKS RANCH

# CITY COUNCIL & PLANNING AND ZONING COMMISSION SPECIAL MEETING

Thursday, October 13, 2022 at 6:30 PM

Public Safety Training Room, Police Station, 7286 Dietz Elkhorn, Fair Oaks Ranch

## MINUTES

### OPEN MEETING

#### 1. Roll Call - Declaration of a Quorum

Council Present: Mayor Maxton

Council Members: Stroup, Elizondo, Koerner, and Parker

Council Absent: Council Members: Bliss, and Muenchow

P&Z Present: Chairperson Barnes & Vice Chairperson Horwath

Commission Members: Tom, Bryant, Martin, Pearson, and Balli

P&Z Absent: None

With both quorums present, the special meeting was called to order at 6:30 PM.

#### 2. Pledge of Allegiance – The Pledge of Allegiance was recited in unison.

### CITIZENS and GUEST FORUM

#### 3. Citizens to be heard – None.

### PUBLIC HEARING

#### 4. **The City Council and the Planning & Zoning Commission of the City of Fair Oaks Ranch, Texas conducted a joint public hearing to receive public testimony on a Replat request for Lots 242, 243, and NE IRR 142.64' of Lot 267 of Fair Oaks Ranch Bexar County Unit C to create one lot of 1.091 acres, generally located north-west of the intersection of Dietz Elkhorn Road and FM 3351, Fair Oaks Ranch, Texas.**

a. Mayor Maxton opened the joint public hearing at 6:34 PM.

b. Consultant, Lata Krishnarao, provided a presentation of the proposed Variance Application.

c. J.A. (Tony) Saucedo Jr. provided a presentation of the proposed Variance Application.

d. Council and P&Z receive citizen testimony for/against the Variance request with the Mayor serving as the presiding officer – Citizen John Collins spoke against awarding the replat request.

e. Mayor Maxton closed the joint public hearing at 6:46 PM.

f. Council and P&Z discussed the case, inclusive of questions of the applicant, staff, and the consultant.

g. The Public Hearing was adjourned with no formal action.

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**ADJOURNMENT**

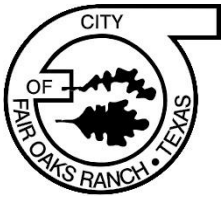
Mayor Maxton adjourned the meeting at 7:01 PM.

ATTEST:

\_\_\_\_\_  
Gregory C. Maxton, Mayor

\_\_\_\_\_  
Christina Picioccio,  
TRMC, City Secretary





## CITY OF FAIR OAKS RANCH

# PLANNING AND ZONING COMMISSION MEETING

Thursday, October 13, 2022 immediately following the Joint Public Hearing  
Public Safety Training Room, Police Station, 7286 Dietz Elkhorn, Fair Oaks Ranch

## MINUTES

### OPEN MEETING

1. Roll Call - Declaration of a Quorum

Present: Chairperson Bobbe Barnes and Vice-Chairperson David Horwath  
Commissioners: Linda Tom, Marty Bryant, Burney Martin, and Dale Pearson, and Lamberto "Bobby" Balli

With a quorum present, the meeting was called to order at 6:33 PM.

2. Pledge of Allegiance – The Pledge of Allegiance was recited in unison

### CITIZENS and GUEST FORUM

3. **Citizens to be heard** – There were no citizens to be heard.

### CONSENT AGENDA

4. **Approval of the May 26, 2022 Planning and Zoning Commission Special Meeting Minutes.**
5. **Approval of the July 14, 2022 Planning and Zoning Commission Regular Meeting Minutes.**

MOTION: Made by Commissioner Balli, seconded by Commissioner Horwath, to approve the Consent Agenda.

VOTE: 7-0, Motion Passed.

### CONSIDERATION / DISCUSSION ITEMS

6. **Consideration and possible action on a Replat request from the applicant Kokopelli Development Team, on behalf of the property owners William S. Jr. & Cynthia W. Beall proposing a Replat of Lot 242, 243, and NE IRR 142.64' of Lot 267 of Fair Oaks Ranch Bexar County Unit C to create one lot of 1.091 acres, generally located north-west of the intersection of Dietz Elkhorn Road and FM 3351, Fair Oaks Ranch, Texas.**

MOTION: Made by Commissioner Balli, seconded by Commissioner Pearson to recommend approval of a replat request from the applicant Kokopelli Development Team, on behalf of the property owners William S. Jr. & Cynthia W. Beall proposing a Replat of Lot 242, 243, and NE IRR 142.64' of Lot 267 of Fair Oaks Ranch Bexar County Unit C to create one lot of 1.091 acres with the following conditions.

1. Provide updated tax certificate that matches the plat area prior to recordation.
2. Add the legal descriptions of all tracts (Tracts 1, 2, and 3) as indicated in the survey to the plat.
3. Update the plat note to indicate that the plat area contains both Existing Residential 2 and Neighborhood Residential zones.

VOTE: 7-0, Motion Passed.

**7. Consideration and possible action on the selection of a Planning and Zoning Commission Chairperson and Vice-Chairperson.**

MOTION: Made by Vice-Chairperson Horwath, seconded by Commissioner Balli to recommend Bobbe Barnes serve as the P&Z Chairperson until the next Chairperson is selected in October 2023.

VOTE: 7-0, Motion Passed.

MOTION: Made by Commissioner Tom, seconded by Commissioner Balli to recommend David Horwath serve as the P&Z Vice-Chairperson until the next Vice-Chairperson is selected in October 2023.

VOTE: 7-0, Motion Passed.

**REPORT**

8. Katherine Schwitzer, P.E., Manager of Engineering Services, Lata Krishnarao, AICP, Consultant, Ardurra, and Cynthia Trevino, City Attorney provided an update regarding the Unified Development Code status.

**ADJOURNMENT**

Chairperson Barnes adjourned the meeting at 7:54 PM.

ATTEST:

\_\_\_\_\_  
Bobbe Barnes, Chairperson

\_\_\_\_\_  
Christina Picioccio,  
TRMC, City Secretary



**PLANNING AND ZONING COMMISSION CONSIDERATION ITEM**  
**CITY OF FAIR OAKS RANCH, TEXAS**  
**November 10, 2022**

**AGENDA TOPIC:** Consideration and possible action of a rezoning request from the applicant Bright Lakes Real Estate, on behalf of the property owner Esther Hicks to change the zoning classification of approximately 17 acres from Existing Residential Three (R3) to Mixed Use Village (MU). Generally located north-east of the intersection of Old Fredericksburg Road and I-10 Frontage Road

**DATE:** November 10, 2022

**DEPARTMENT:** Public Works and Engineering Services

**PRESENTED BY:** Katherine Schweitzer, P.E., Manager of Engineering Services  
 Lata Krishnarao, AICP, LEED ND, Consultant, Ardurra

**SUMMARY:**

The applicant is proposing to change the zoning classification of approximately 17 acres from Existing Residential Three (R3) to Mixed Use Village (MU). The purpose of this rezoning request is to allow for an appropriate zoning classification to be placed on the subject property located at 28800 and 28550 Old Fredericksburg Road for a mixed-use development consisting of retail, hotel, and multi-family uses. The proposed 50,000 square feet (approximately) development will consist of two four-story multi-family structures containing 306 residential units, a hotel (height not specified), and four structures (height not specified) for retail use.

The Unified Development Code (UDC) describes the current and proposed zoning categories as follows:

**Current Zoning** - "The Existing Residential 3 (R3) category governs the existing rural residential lots with lot sizes generally between 1.3 acres and 5 acres. Exclusive of city permits and ordinances all lot, building, landscaping, and other standards will be controlled by the applicable deed restrictions in these neighborhoods, in compliance with City ordinance requirements."

**Proposed Zoning** - "The Mixed Use Village District (MU) indicates areas within the City of Fair Oaks Ranch where the City allows and encourages a mixture of uses that create pedestrian scaled development at major nodes in the City that generally conform to a Hill Country Design aesthetic. Sites in the MU district are appropriate primarily for direct access to Arterial, Collector streets and Local Connector Streets."

The subject parcel of approximately 17 acres is contained in two addresses - 28800 and 28550 Old Fredericksburg Road, Fair Oaks Ranch, Texas. The property is also identified as 28800 and 28550 Old Fredericksburg Road, Boerne, Texas in the Bexar County records. As per Bexar County online property records and site observation, the current site conditions are as follows:

- 28800 Old Fredericksburg Road- contains a residential structure built in 1963.
- 28550 Old Fredericksburg Road - contains a residential structure built in 1953. As per the county online records, the property use is categorized as light manufacturing.

Both properties mentioned above are not platted.

**LOCATION AND SURROUNDINGS:**

The site is generally located north-east of the intersection of Old Fredericksburg Road and I-10 Frontage Road. A summary of the surrounding land uses and zoning designations can be found in the following table:

<b>Zoning</b>		<b>Land Use</b>
NORTH	Civic and Community Facilities & Existing Residential 3	Single Family Residential, Spring Creek United Methodist Church and School
SOUTH	Mixed Use Village	CVS, Anytime Fitness, Capparelli Bros Restaurant, Papa John's Pizza
WEST	Old Fredericksburg Road/San Antonio ETJ	Various Commercial Uses - Veterinary Clinic, Animal Feed Store, Gymnasium, Foot Center. etc.
EAST	Existing Residential 1	Single Family Residential (Front Gate Development)

**CONFORMANCE WITH COMPREHENSIVE PLAN:**

**Background:**

The City adopted the current Comprehensive Plan in 2018 as part of a mission to strengthen and preserve the City's character.

**Purpose:**

The purpose of the Comprehensive Plan is to determine community vision, goals, and aspiration in regard to community development. This living document is intended to guide City's land use, policies, and spending priorities for years to come. It addresses how "thoughtful design can maintain and improve quality of life for the people who live in Fair Oaks Ranch, and how to balance personal freedom with rules for common protection of property values, safety, and the preservation (and enhancement) of the community character."

As per the Comprehensive Plan – "The Comprehensive Plan will help guide where and how the development happens, and to shape the future growth in ways that will complement and protect the values of the existing community, and serve as a foundational rulebook for the landowners, developers, surveyors, engineers, and architects and for the City employees who will shepherd them."

The Comprehensive Plan serves as a guide to frame zoning regulations that regulate all development and land uses.

### Process of Adoption of Comprehensive Plan:

The current Comprehensive Plan was created by the citizens of Fair Oaks Ranch and the process spanned over two years (2017-2018). It was led by a steering committee appointed by the City Council who worked with staff and the professional planning team. The citizens and other stakeholders were heard through workshops and City-wide “Town Hall” meetings, as well as numerous smaller meetings, planning exercises, and community surveys. The plan reflected the vision of the community.

### Components:

**Text** - The Comprehensive Plan contains a Future Land Use chapter that includes the descriptions of the various land use classifications, and recommendations on the appropriate land uses, development regulations, design standards, and zoning categories for each of these land use classifications.

**Map** - The Future Land Use Map (FLUM) included in the Comprehensive Plan shows suitable locations in the City for the various land use classifications. The FLUM classifications should be used in conjunction with associated text descriptions to assess the types of land uses and development desired for in a particular area.

### Comprehensive Plan Recommendations for this Property:

The FLUM (Exhibit C: Future Land Use Map (FLUM)) adopted in June 2018 designates this property as Mixed Use Village. The Comprehensive Plan recommends the following:

Mixed-Use Village	
<b>Permitted Uses</b>	<ul style="list-style-type: none"> <li>Commercial (office, retail, restaurant)</li> <li>Residential (Small Lot Single Family, Cottage, Townhouse, Multifamily, Aging Adult)</li> <li>Auto-oriented site elements are restricted</li> </ul>
<b>Lot and Block Standards</b>	<ul style="list-style-type: none"> <li>Walkable rectilinear and/or connected blocks</li> </ul>
<b>Building Form and Development Standards</b>	<ul style="list-style-type: none"> <li>3 stories (max.) 4 stories (max.) allowed within 500' of Old Fredericksburg Road.</li> <li>Buildings generally placed with pedestrian friendly frontage at the front of lot facing the primary street or open space</li> <li>Location of parking regulated (behind or to the side of the primary building)</li> </ul>
<b>Building Design Standards</b>	<ul style="list-style-type: none"> <li>Buildings to be oriented towards the primary street with at least one pedestrian entrance on primary street</li> <li>Compatible with “Hill Country” aesthetic. Generally, masonry or comparable for ground floor facades</li> </ul>
<b>Transportation (Street Types)</b>	<ul style="list-style-type: none"> <li>State Highway Major Thoroughfare</li> <li>Local Multimodal Street</li> <li>Neighborhood Street</li> <li>Alley</li> </ul>

### Relevant Excerpts from the Comprehensive Plan:

The MU designation is described as – “... areas within the City of Fair Oaks Ranch where the City encourages a mixture of uses that create pedestrian scaled development at major transportation nodes. The City encourages development in this area to generally conform to a Hill Country design aesthetic, similar to the materials and massing that can be found in downtown commercial

districts in communities such as Boerne, Fredericksburg, and Comfort. Sites in the MU district are appropriate for direct access to primarily Arterial, Collector Streets, and Local Connector Streets.”

The Comprehensive Plan identifies undeveloped or underdeveloped tracts in locations that would be appropriate for MU zones to create unique opportunities for higher quality mixed-use developments that would support a stronger tax base over the next few decades. In addition to the subject tract, some of the areas designated as Mixed-Use in the City include the following intersections:

- Ralph Fair Road and Dietz Elkhorn Road
- I-10 frontage and Fair Oaks Parkway
- Dietz Elkhorn Road and Elkhorn Ridge Road

The Comprehensive Plan also envisions that Mixed-Use developments in the MU district will:

- Relieve fiscal pressures by encouraging developments with a stronger tax base
- Create stronger, more resilient development in the core focus areas
- Protect adjacent residential areas and other environmentally sensitive areas
- Incorporate a mix of housing types, including aging adult options allowing older residents the option to downsize their home but remain in the community
- Promote walkability, with a mix of retail, restaurants, offices, civic uses, and housing options
- Serve as connections to the trail system and serve as “gateways” that create gravity for higher-quality development throughout the City
- Promote a sense of “community” and “place”

The Comprehensive Plan recommends - “Typical development that does not consider adjacent neighborhoods, adjacent parcels or align with the broader goals of the City should be discouraged, in favor of higher-quality developments. Projects that are master planned and developed in a cohesive manner often achieve higher returns and hold stronger values than typical centers.”

#### **Finding:**

- The proposed zone change is consistent with the recommendations of the Comprehensive Plan and the FLUM.

#### **CONFORMANCE WITH THE UNIFIED DEVELOPMENT CODE:**

Current zoning: As per the UDC, Existing Residential Three (R3) zoning “... governs the existing rural residential lots with lot sizes generally between 1.3 acres and 5 acres.” As per UDC, in R3 districts, all lot, building, landscaping and other standards will be controlled by the applicable Restriction Committees in compliance with City ordinance requirements.

The applicant has not provided any such agreements that would restrict development, and the City is unaware of any agreements. The title report does not indicate any such agreements.

Proposed zoning: As per the UDC, Mixed Use zoning encourages a mixture of uses that create pedestrian scaled development at major nodes in the City that generally conform to a Hill Country Design aesthetic. The areas zoned as MU currently include:

- Ralph Fair Road and Dietz Elkhorn Road
- I-10 frontage and Fair Oaks Parkway
- Dietz Elkhorn Road and Elkhorn Ridge Road

The preliminary site plan provided by the applicant proposes a mixture of uses that include hotel, multi-family units, and retail. However, as per the state statutes, conditional zoning is not permitted. A zone change cannot be tied to a site plan or development shown on a site plan. Once the property is zoned, it can be developed for any use that is permitted in that zone, as long as all other development standards contained in the UDC are met. In other words, a zoning classification runs with the land and the land can be developed for any use permitted in that zone.

As currently written, the MU district does not contain any restriction on the distribution of uses or ratios. The property can be used for any single use or multiple uses permitted in that zone. Land uses permitted in MU district include hospital, brewpub, and drive through restaurant. (See Attachment #4 Use Table)

#### **Findings:**

- Uses permitted- The proposed zone change will permit all the uses proposed by the applicant.
- Mix of uses - If the zone change is approved, the property can be developed for any of the uses permitted in the Use Table (see Attachment #4), as a single use or a combination of multiple uses. For example, this property can be developed for a single use - as a hotel, a drive through restaurant, a hospital, a multi-family residential, or a brewpub.
- Adherence to proposed site plan - The zone change cannot be conditioned on the site plan provided and will not guarantee that the site will be developed as shown in the site plan.

#### **CONFORMANCE WITH THE CHARACTER OF THE AREA:**

The proposed development consists of hotel, multi-family residential, and retail uses. Without adequate thought to placement, buffers, and other considerations, all uses permitted in this zone may not be compatible with adjacent uses.

#### **Findings:**

- The proposed zoning may not result in a development that will be compatible with the existing residential developments in the area and future uses permitted by the current zone of the abutting properties. Permitted and proposed uses may adversely affect existing single-family neighborhoods on the north and the east due to their character and density, without appropriate site design standards and safeguards.
- With appropriate enhanced design and site standards the proposed zone change can serve as a transition between commercial and single family and may be compatible with the following uses on the south and west sides.
  - South – Shopping center that contains CVS, Anytime Fitness, Capparelli Bros Restaurant, Papa John's Pizza (Mixed Use Village)
  - West – Old Fredericksburg Road/City of San Antonio ETJ with various commercial uses -veterinary clinic, animal feed store, gymnasium, foot center. etc. along I-10.
- Other uses permitted by the proposed zone, such as hospital, brewpub, drive through restaurants may have an adverse impact in terms of traffic and safety on surroundings due

to inadequate circulation.

**CONFORMANCE WITH THE AVAILABILITY OF UTILITIES:**

The development is proposed to be serviced by San Antonio Water Systems (SAWS). The City's infrastructure, including roadway adequacy and storm drainage facilities will need to be reevaluated to establish improvements that may be needed for all permitted uses in the MU district.

**Findings:**

- There may not be adequate utilities for all permitted uses in the MU district.
- Detailed study will be required to establish the improvements needed for this density and use.

**CONFORMANCE WITH THE TRANSPORTATION MAP:**

The traffic generated by the proposed development will heavily impact nearby roads. The site is accessed by Old Fredericksburg Road. Fair Oaks Parkway and Dietz Elkhorn Road provide connections from I-10 to Old Fredericksburg Road.

- Old Fredericksburg Road is a (proposed) Arterial Road as per the Transportation Map. Currently it is a two-lane road with no bike lane or sidewalks. Improvements will be needed to adequately support a mixed-use development. A Traffic Impact Analysis (TIA) will be required to determine the extent of improvements.
- Fair Oaks Parkway is a Collector Road. Currently it is a two-lane road. The typical right of way width required is 79'. No significant expansion is contemplated for this road. Improvements may be needed to adequately support a mixed-use development. A Traffic Impact Analysis (TIA) will be required to determine the extent of improvements.
- Dietz Elkhorn Road is a Collector Road. Currently it is a two-lane road. The typical right of way width is 79'. No expansion is recommended for this road; however, improvements may be needed to adequately support a mixed use development. A Traffic Impact Analysis (TIA) will be required to determine the extent of improvements.

**Findings:**

- City's roadway infrastructure may not be suitable and adequate for all permitted uses in the MU district.
- A Traffic Impact Analysis will be required to establish what improvements will be needed for this density and use.

**PUBLIC COMMENTS:**

All real property owners within 200 feet were notified and notice of the public hearing has been published. Staff has received zero (0) public comments in favor of the request and twenty-four (24) in opposition.

UDC Ch 3.7 (4)(vii)(2) states "If a proposed rezoning of a tract of land has been protested in writing by the owners of at least 20 percent of the area within 200 feet of the tract (who are also resident inside the City Limits), the rezoning may not become effective except by three-fourths vote of the City Council." Staff has reviewed the public comments and has determined 21% of the area is in opposition of the proposed rezoning. Therefore, the rezoning may not become effective



unless 6 or more members of City Council approve the proposed rezoning.

**STAFF ANALYSIS:**

Based on the review of the application and supporting documents, UDC, Comprehensive Plan, and other applicable City standards, the staff's observations are as follows:

1. The rezoning will be consistent with the Comprehensive Plan.
2. The proposed zoning of Mixed-Use Village will permit the uses proposed. However, staff believes that the rezoning, without any safeguards or design standards, may have a detrimental effect on the health, safety, or general welfare of the City. Developing the property for commercial uses such as a hotel and dense multi-family residential may be detrimental to the adjacent residential neighborhoods without appropriate buffers and transitions, and may be a deterrent to maintain the rural character of the City.
3. The proposed site plan is not enforceable as conditional zoning is not permitted. Once rezoned, the property can be developed for any other uses permitted in the MU district, and in a manner permitted by the UDC.
4. Without additional considerations and in the inability to require adherence to the proposed site plan (not permitted by straight zoning), the rezoning may not be compatible with the single family uses on the north and east of the subject property and the residential character of the neighborhood.
5. The permitted uses in the MU district are intense uses that may have a significant impact on public infrastructure such as roads, parking facilities and water and sewer systems.
6. The permitted uses in the MU district may have a significant impact on public services such as police and fire protection and solid waste collection.

Staff recommends pursuing the option of Planned Unit Development (PUD) as it is suitable for areas that the Comprehensive Plan recommends mixed uses. Unlike straight rezoning, the PUD process requires approval of a Concept Plan by the City Council that will define the proposed development. By detailing the specific uses, location, density, building and site designs in the PUD Concept Plan, the developer can address the concerns and needs of the community. The PUD process will allow the developer to engage in a dialogue with the citizens, Planning and Zoning Commission, and City Council. Standards exceeding the UDC requirements can be placed on the PUD as conditions and restrictions to ensure a high-quality development.

The PUD approval process is similar to the rezoning process with an additional Concept Plan approval process. The PUD approval will apply to all future development approvals or permits for land within the PUD, in addition to other requirements of the UDC.

**CRITERIA FOR REVIEW:**

According to the UDC, zoning changes may be approved if the following criteria are met:

1. The zoning change is consistent with the Comprehensive Plan;
2. The zoning change promotes the health, safety, or general welfare of the City and the safe, orderly, and healthful development of the City;
3. The zoning change is compatible with and conforms with uses of nearby property and the character of the neighborhood;

4. The property affected by the zoning change is suitable for uses permitted by the proposed amendment to the zoning map;
5. Infrastructure, including roadway adequacy, sewer, water and storm water facilities, is or is committed to be available that is generally suitable and adequate for the proposed use; and
6. Zoning Variance requests will not be considered. Zoning changes must be made by Zoning Map Amendment. All amendments must be in accordance with the Comprehensive Plan, which may be amended according to the procedure in this Section. Newly annexed areas will be zoned during the annexation process.”

In conclusion, it is staff's opinion that this rezoning request does not meet the criteria listed above. A rezoning process does not provide an opportunity to conduct additional review and detailed analysis to confirm that there will not be any detrimental effects to the City from all the uses permitted in MU district. It does not allow the ability to impose restrictions and conditions to mitigate the adverse impacts. Additional information is required to determine how the proposed development would sustain high quality growth through design and carefully planned uses that are integrated into the city and regional context as envisioned in the Comprehensive Plan, and this can be achieved through a PUD.

**RECOMMENDED MOTION:**

Staff recommends denial of the proposed rezoning request and that the applicant move forward with a PUD Application. The language for the motion must be an affirmative position. The votes may be in favor or in opposition. If the P&Z needs additional information to make a decision, then they may table action on the item.

Motion: I move to recommend approval of a rezoning request from the applicant Bright Lakes Real Estate, on behalf of the property owner Esther Hicks to change the zoning classification of approximately 17 acres from Existing Residential Three (R3) to Mixed Use Village (MU).

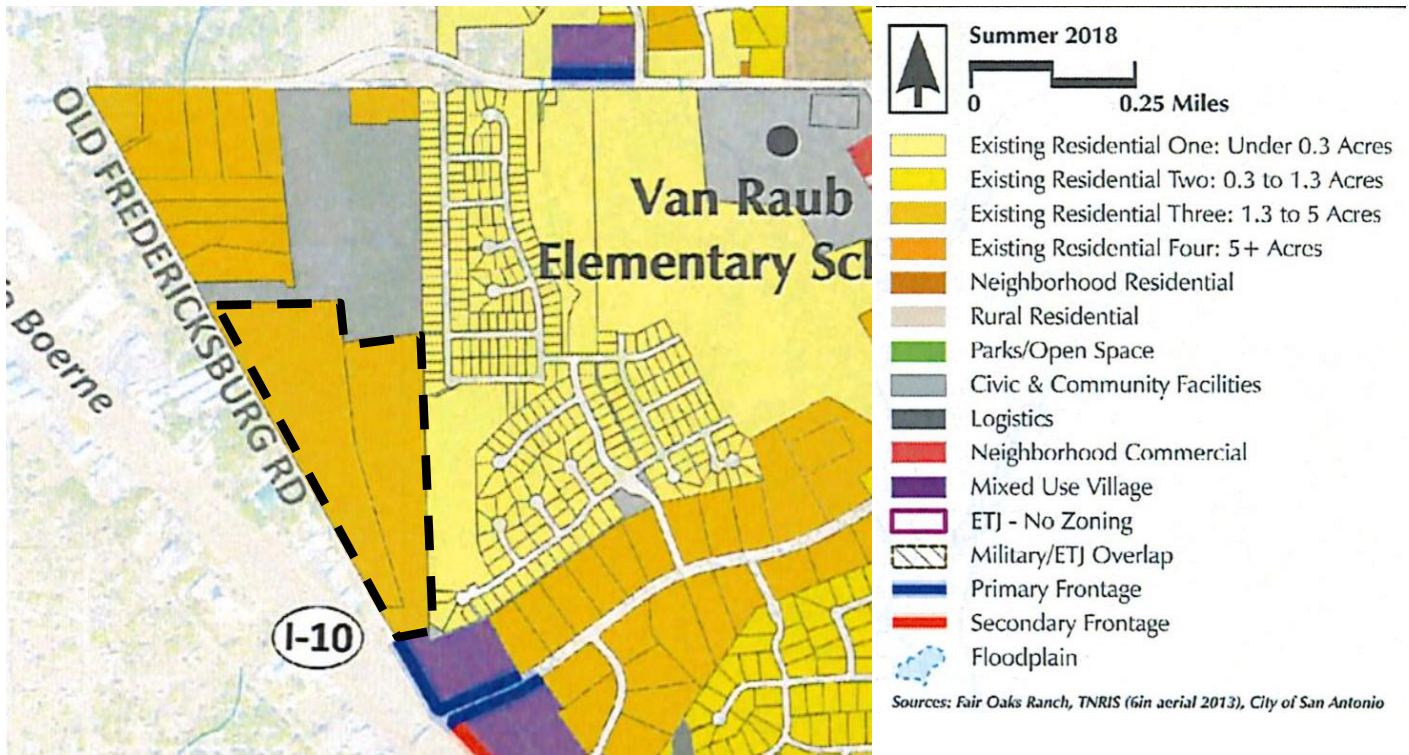
Exhibit A: Aerial Map and Existing Site Conditions



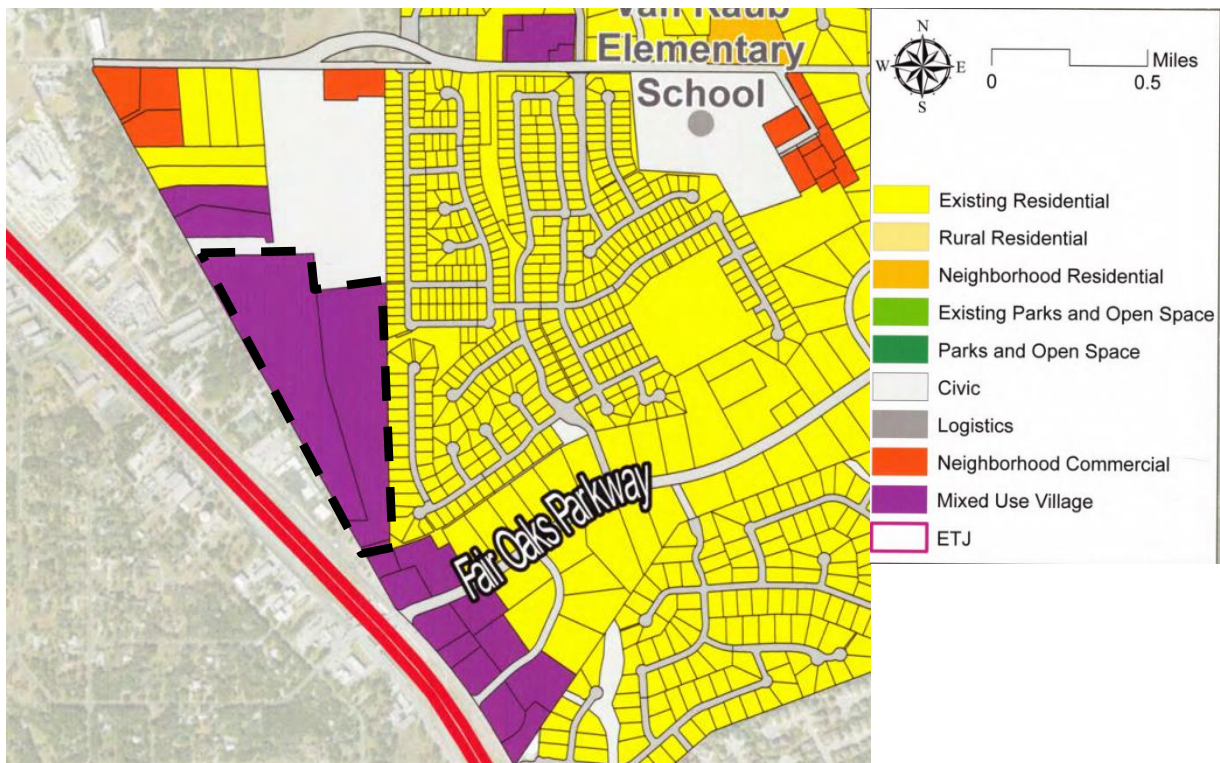
Source: Google



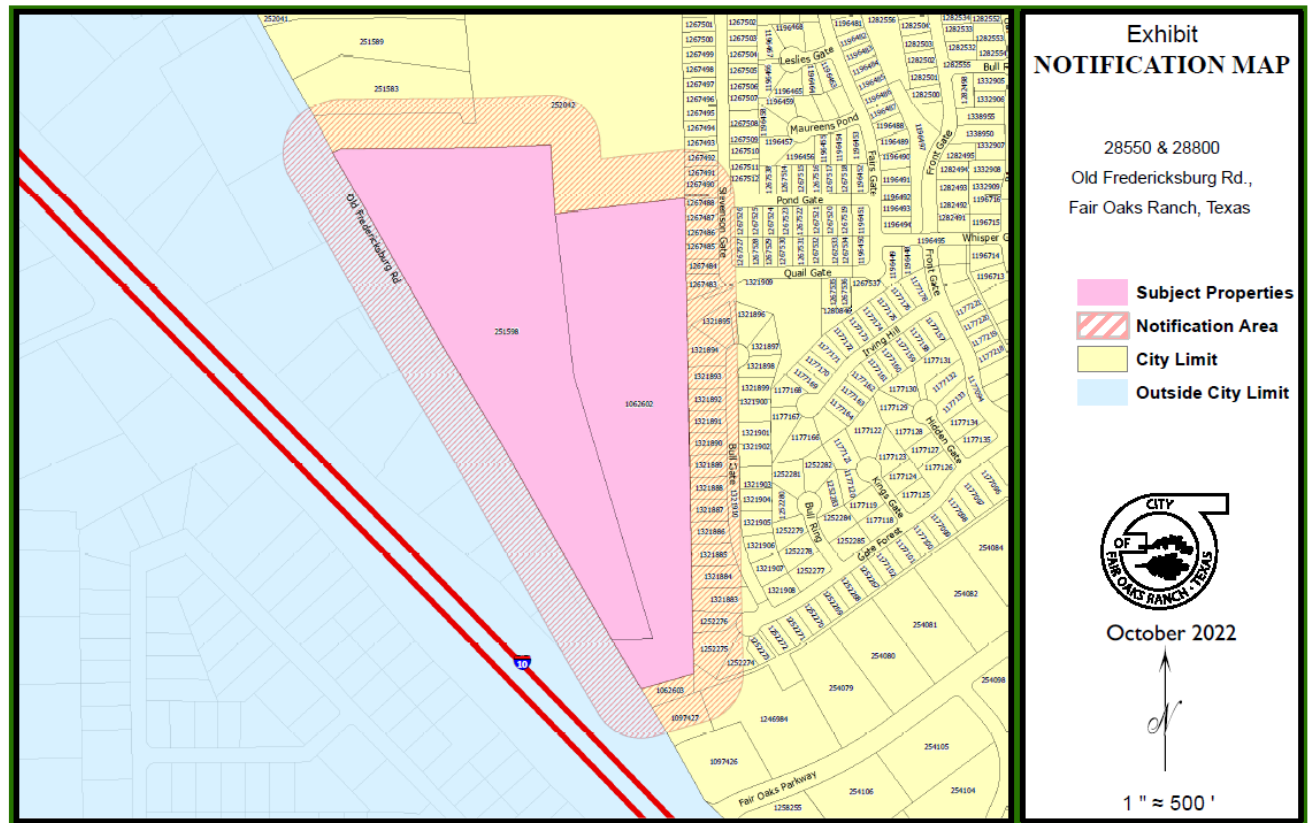
### Exhibit B: Current Zoning Map



### Exhibit C: Future Land Use Map (FLUM)



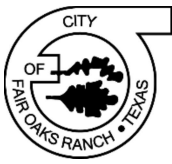
## Exhibit D: Notification Map



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

### Attachments:

1. Universal Application
2. S2 Rezoning Application Form
3. Supporting Documents Provided by the Applicant
4. Use Table
5. Property Owner Response Map
6. Property Owner Comment Forms



7286 Dietz Elkhorn Fair Oaks Ranch, TX 78015

PH: (210) 698-0900.FAX: (210) 698-3565. [bcodes@fairoaksranchtx.org](mailto:bcodes@fairoaksranchtx.org) [www.fairoaksranchtx.org](http://www.fairoaksranchtx.org)**UNIVERSAL APPLICATION (FORM UA)**

All applications must be submitted with:

(1) A complete **Universal Application** form (2 pages), and(2) A complete **Specific Application Form** with all materials listed in the checklist for the specific application.

The City staff is available to assist you in person at City Hall or over the phone at (210) 698-0900.

**DEVELOPMENT INFORMATION**

Project Name/Address/Location: 28550 & 288800 Old Fredericksburg Road, Fair Oaks Ranch, TX 78015 Acreage: 16.697  
Brief Description of Project: Proposed mixed-use development consisting of both residential and retail.  
Is property platted? ☒ No ☐ Yes Subdivision name: See attached legal description No. of Lots: \_\_\_\_\_  
Recordation #: \_\_\_\_\_ Parcel(s) Tax ID#: 251598 & 1062602  
Existing Use: Vacant Proposed Use: Mixed use development consisting of both residential and retail  
Current Zoning: Existing Residential Three Proposed Zoning: Mixed use village  
Occupancy Type: Residential & Commercial Sq. Ft: \_\_\_\_\_ Bed #: \_\_\_\_\_ Bath #: \_\_\_\_\_ Car Garage #: \_\_\_\_\_  
Water System ☐ Well ☒ Public Flood Zone: ☐ Yes ☒ No Sewer System: ☐ Septic ☒ Public

**PROPERTY OWNER INFORMATION**

Owner: Esther Hicks & Jerry Hicks (Deceased) Contact Name: Killen, Griffin & Farrimond (Authorized agent)  
Address: PO Box 690070 City/State/ZIP: San Antonio, TX 78269  
Phone: 210-960-2750 Email: delaney@kgftx.com

**APPLICANT INFORMATION**

Applicant/Developer: Bright Lakes Real Estate Contact Name: Craig Glendenning (Also contact Authorized Agent)  
Address: 1008 Hoefgan Ave City/State/ZIP: San Antonio, TX 78210  
Phone: 210-960-2750 Email: cglendenning61@yahoo.com & delaney@kgftx.com

**KEY CONTACT INFORMATION**

Name of the Individual: Killen, Griffin & Farrimond Contact Name: Delaney Honaker  
Address: 10101 Reunion Place City/State/ZIP: San Antonio, TX 78216  
Phone: 210-960-2750 E-mail: delaney@kgftx.com

SIGNATURE OF PROPERTY OWNER OR APPLICANT (SIGN AND PRINT OR TYPE NAME)

Signature: \_\_\_\_\_ Date: 9/22/2022

(Signed letter of authorization required if the application is signed by someone other than the property owner)

**\*\*\*\*\*OFFICE USE ONLY\*\*\*\*\***

DATE REC'D: 9/30/2022 BY: KGS

FEES PAID: \$600 APPROVED BY: \_\_\_\_\_

DATE APPROVED: \_\_\_\_\_

APPLICATION/PERMIT NO: \_\_\_\_\_ EXP DATE: \_\_\_\_\_

Applications shall be processed based on the City's official submission dates. When a completed application packet has been accepted and reviewed, additional information may be required by staff as a result of the review, therefore it may be necessary to postpone the proposed project and remove it from the scheduled agenda and place it on a future agenda.



**SPECIFIC APPLICATION FORM (S1-S39).** Please check the appropriate type below:**Land Use Policy Related**

(Section 3.9 of the UDC)

- ☐ Annexation\* - Form S1
- ☐ Comprehensive Plan Amendment (Text)
- ☐ Unified Development Code (UDC) Text Amendment
- ☒ Rezoning/ FLUM amendment\* - Form S2
- ☐ Special Use Permit\* - Form S3
- ☐ Planned Unit Development (PUD)\* - Form S4
- ☐ Development Agreement
- ☐ Conservation Development Alternative\* (CDA) (Section 4.8) - Form S5

**Subdivision and Property Development Related**

(Section 3.8 of the UDC)

- ☐ Amending Plat\* - Form S6
- ☐ Minor Plat\* - Form S7
- ☐ Development Plat\* - Form S8
- ☐ Concept Plan\*\* - Form S9
- ☐ Preliminary Plat\* - Form S10
- ☐ Final Plat\* - Form S11
- ☐ Replat\* - Form S12
- ☐ Construction Plans\* - Form S13
- ☐ Vacating Plat
- ☐ Plat Extension

**Site Development Related**

(Section 3.9 of the UDC)

- ☐ Vested Rights Verification Letter
- ☐ Zoning Verification Letter
- ☐ Written Interpretation of the UDC
- ☐ Temporary Use Permit\* - Form S14
- ☐ Special Exception\* - Form S15
- ☐ Site Development Permit\* (Site Plan Review) - Form S16
- ☐ Floodplain Development Permit\* - Form S17
- ☐ Stormwater Permit\* - Form S18
- ☐ Certificate of Design Compliance\* - Form S19
- Appeal of an Administrative Decision
- ☐ Zoning ☐ Others
- Variance
- ☐ Policy ☐ Judicial\* - Form S20
- ☐ Sign Special Exception/Appeal to an Administrative Decision
- ☐ Administrative Exception
- ☐ Permit for Repair of Non-Conforming Use/Building
- ☐ Letter of Regulatory Compliance
- ☐ On-Site Sewage Facility Permit (OSSF)
- ☐ Certificate of Occupancy (CO)\* - Form S21
- ☐ Relief from Signage Regulations
- ☐ Group Living Operation License\* - Form S22
- ☐ Grading/Clearance Permit - Form S23

**Building Permits Related****Commercial**

- ☐ New/Remodel/Addition\* - Form S24
- ☐ Fence\* - Form S25
- ☐ Miscellaneous\* - Form S26

**Residential**

- ☐ New Home\* - Form S27
- ☐ Remodel/Addition\* - Form S28
- ☐ Detached Buildings\* - Form S29

**Others**

- ☐ Solar\* - Form S30
- ☐ Swimming Pool\* - Form S31
- ☐ Demolition, Drive or Move
- ☐ New Lawn/Water\* - Form S32
- ☐ Backflow Device/Irrigation Systems - Form S33
- ☐ Sign\* (Permanent) - Form S34 A
- ☐ Sign\* (Temporary) - Form S34 B
- ☐ Appeal of Denial of Sign Permit
- ☐ Master/ Common Signage Plan\* - Form S35
- ☐ Water Heater or Water Softener\* - Form S36
- ☐ Right-of-Way Construction\* - Form S37
- ☐ Flatwork\* - Form S38

**Inspections**

- ☐ Mechanical ☐ Electrical
- ☐ Plumbing ☐ Building
- ☐ Others \_\_\_\_\_

**Water- Wastewater Service**

- ☐ Connect/ Disconnect Form\* - Form S39

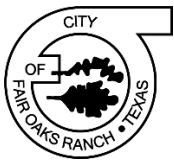
\*These types of applications require additional information as listed in the Specific Application Form. Refer to **Appendix B** of the Administrative Procedures Manual for more information.

\*\* The Concept Plan is required for PUD and CDA, and for Rezoning if included in a previously approved Concept Plan.

**Application Checklist for all Applications**

- ☒ Universal Application Form (Form UA).
- ☒ Items listed in the checklist for the Specific Application Form (Form S#) <sup>1</sup>. (Please make sure the boxes are checked)
- ☒ Application Processing Fees and other application fees.
- ☒ Letter of intent explaining the request in detail and reason for the request.
- ☒ Signed Letter of Authorization required if the application is signed by someone other than the property owner.
- ☒ Site plan and shapefile drawings (if applicable) for the property
- ☒ Location map clearly indicating the site in relation to adjacent streets and other landmarks
- ☒ One (1) copy of proof of ownership (recorded property deed or current year tax statements)
- ☒ One (1) USB drive containing the general required documents in Adobe PDF format (if required)

<sup>1</sup>For items that are duplicated in the specific type of application, only one copy is required.



## S2 SPECIFIC APPLICATION FORM - REZONING/ FUTURE LAND USE MAP AMENDMENT

### Section 3.7 of the Unified Development Code

The following steps must be completed, and the items must be submitted for the application to be deemed complete and processed:

- ☒ Pre-Application Conference prior to application submittal.
- ☒ Concept plan approval (if required).
- ☒ A completed Universal Application and checklist signed by the owner/s of the property.
- ☒ A title report.
- ☒ Payment of all other applicable fees (see Schedule of Fees).
- ☒ 8½ x 11 copy of the legal description (metes and bounds) of the area encompassing the request. If the property is platted, a copy of the plat should be provided.
- ☒ Location/vicinity map showing the location and boundaries of the proposed zoning. Indicate scale or not to scale (NTS) and provide north arrow.
- ☒ Acknowledgement that the sign posted by the City on the property fifteen (15) days prior to the public hearing will be maintained until the zone change is heard at the public hearing.
- ☒ Provide evidence or proof that all taxes and obligations have been paid regarding the subject property.
- ☒ Electronic copies of the required exhibits in "PDF" format and shapefile for property boundary where applicable should be submitted in a USB flash drive or via email



# Authorization

September 14, 2022

City of Fair Oaks Ranch  
Planning Department  
7286 Dietz Elkhorn  
Fair Oaks Ranch, TX 78015

To Whom It May Concern:

My name is Esther W. Hicks, and I jointly own the property located at 28550 Old Fredericksburg Road, Fair Oaks Ranch, Texas 78015 ("Property"). The Property is further identified as Bexar County Appraisal District Parcel ID #1062602. This letter hereby authorizes the placement of a sign on the Property fifteen (15) days prior to any public hearing associated with the proposed rezoning.

Sincerely,

By: Esther W Hicks  
Esther W. Hicks

STATE OF TEXAS

COUNTY OF Bexar

§  
§  
§

BEFORE ME, the undersigned authority, on this day personally appeared Esther W. Hicks, who acknowledged she is authorized to execute this document.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 14th day of September, 2022.



[Signature]  
Notary Public, State of \_\_\_\_\_  
Printed Name: \_\_\_\_\_

September 14, 2022

City of Fair Oaks Ranch  
Planning Department  
7286 Dietz Elkhorn  
Fair Oaks Ranch, TX 78015

To Whom It May Concern:

My name is Esther W. Hicks, and I jointly own the property located at 28550 Old Fredericksburg Road, Fair Oaks Ranch, Texas 78015 ("Property"). The Property is further identified as Bexar County Appraisal District Parcel ID #1062602. This letter hereby authorizes Bright Lakes Real Estate and Killen, Griffin & Farrimond, PLLC to act as representatives for the proposed rezoning and other development approvals related to the Property.

Sincerely,

By: *Esther W. Hicks*  
Esther W. Hicks

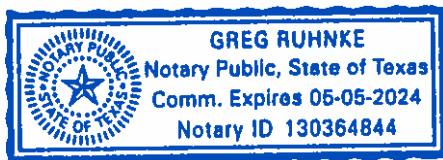
STATE OF TEXAS

COUNTY OF Bexar

§  
§  
§

BEFORE ME, the undersigned authority, on this day personally appeared Esther W. Hicks, who acknowledged she is authorized to execute this document.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 14th day of September, 2022.



*[Signature]*  
Notary Public, State of \_\_\_\_\_  
Printed Name: \_\_\_\_\_

# Bexar County Appraisal Information

Property Identification #: 1062602

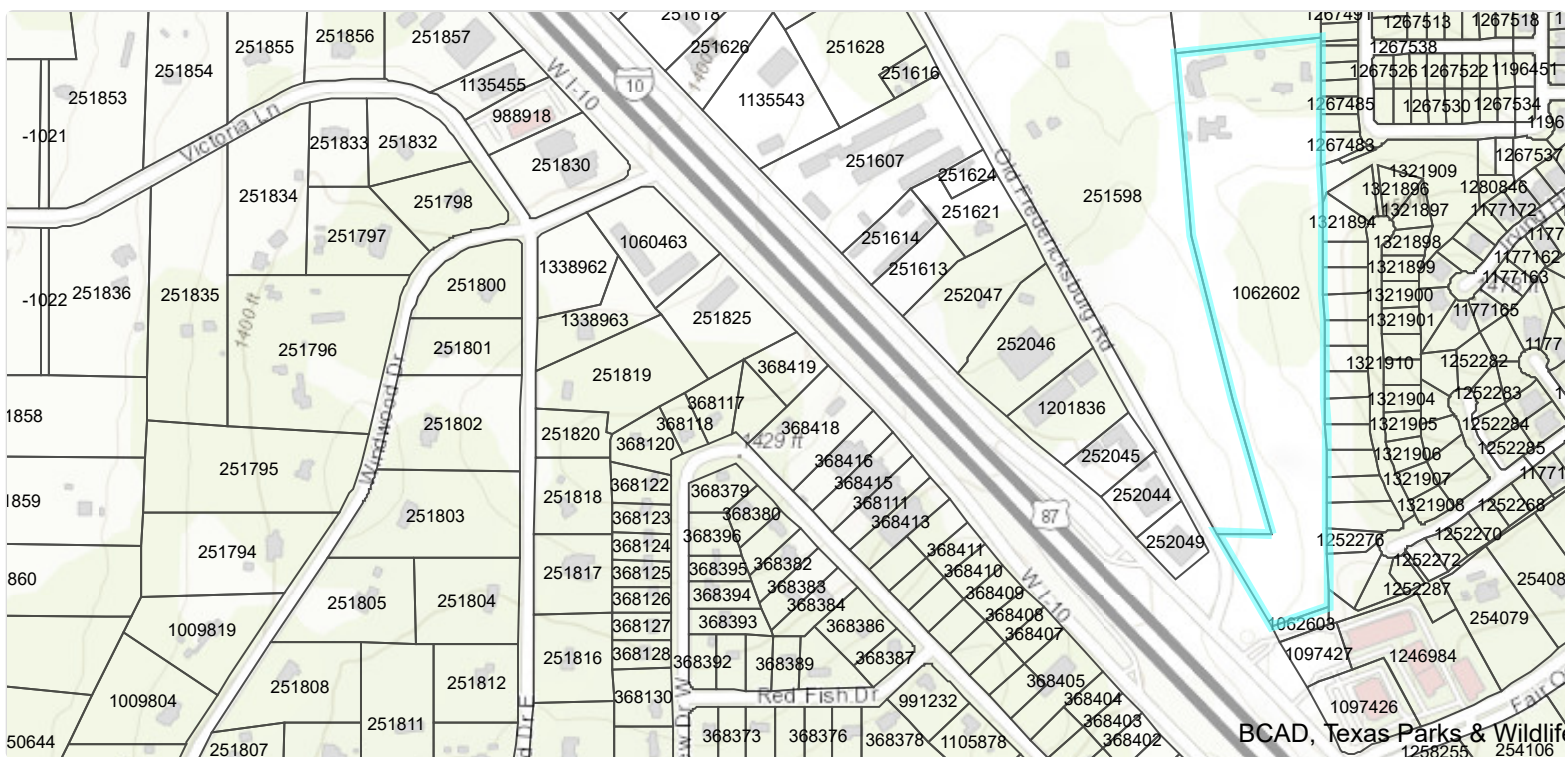
Property Information: 2023

Owner Identification #: 186917

Geo ID: 04707-504-0011  
Situs 28550 OLD FREDERICKSBURG RD  
Address: BOERNE, TX 78015  
Property Type: Real  
State Code: F2

Legal CB 4707E BLK 4 LOT 1 EXCEPT S  
Description: IRR 419.37 FT (DEVELOPMENT  
PLAT HICKS PROPERTY)  
Abstract: A04707  
Neighborhood: NBHD code51520  
Appraised N/A  
Value:  
Jurisdictions: 06, 08, 45, 11, CAD, 10, 09, 61

Name: HICKS JERRY S & ESTHER W  
Exemptions:  
DBA: Abraham Hicks Publications -  
EXCESS LAND



## Bexar CAD Map Search

This product is for informational purposes only and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. The Bexar County Appraisal District expressly disclaims any and all liability in connection herewith.

## Bexar CAD

Property Search > 1062602 HICKS JERRY S & ESTHER  
W for Year 2022

Tax Year: 2022

## Property

## Account

Property ID:	1062602	Legal Description:	CB 4707E BLK 4 LOT 1 EXCEPT S IRR 419.37 FT (DEVELOPMENT PLAT HICKS PROPERTY)
Geographic ID:	04707-504-0011	Zoning:	OCL
Type:	Real	Agent Code:	
Property Use Code:	305		
Property Use Description:	MANUFACTURING - LIGHT		

## Protest

Protest Status:  
Informal Date:  
Formal Date:

## Location

Address:	28550 OLD FREDERICKSBURG RD BOERNE, TX 78015	Mapsc0:	447A1
Neighborhood:	NBHD code51520	Map ID:	
Neighborhood CD:	51520		

## Owner

Name:	HICKS JERRY S & ESTHER W	Owner ID:	186917
Mailing Address:	PO BOX 690070 SAN ANTONIO, TX 78269-0070	% Ownership:	100.0000000000%
Exemptions:			

## Values

(+) Improvement Homesite Value:	+	\$0	
(+) Improvement Non-Homesite Value:	+	\$1,829,800	
(+) Land Homesite Value:	+	\$0	
(+) Land Non-Homesite Value:	+	\$1,611,960	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	\$0	\$0
(+) Timber Market Valuation:	+	\$0	\$0
-----			
(=) Market Value:	=	\$3,441,760	
(-) Ag or Timber Use Value Reduction:	-	\$0	
-----			
(=) Appraised Value:	=	\$3,441,760	
(-) HS Cap:	-	\$0	
-----			

(=) Assessed Value: = \$3,441,760

## Taxing Jurisdiction

Owner: HICKS JERRY S & ESTHER W

% Ownership: 100.0000000000%

Total Value: \$3,441,760

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax		
06	BEXAR CO RD & FLOOD	0.023668	\$3,441,760	\$3,441,760	\$814.60		
08	SA RIVER AUTH	0.018580	\$3,441,760	\$3,441,760	\$639.48		
09	ALAMO COM COLLEGE	0.149150	\$3,441,760	\$3,441,760	\$5,133.38		
10	UNIV HEALTH SYSTEM	0.276235	\$3,441,760	\$3,441,760	\$9,507.34		
11	BEXAR COUNTY	0.276331	\$3,441,760	\$3,441,760	\$9,510.65		
45	FAIR OAKS RANCH	0.351800	\$3,441,760	\$3,441,760	\$12,108.11		
61	BOERNE ISD	1.204600	\$3,441,760	\$3,441,760	\$41,459.44		
CAD	BEXAR APPRAISAL DISTRICT	0.000000	\$3,441,760	\$3,441,760	\$0.00		
Total Tax Rate:		2.300364					
Taxes w/Current Exemptions:					\$79,173.00		
Taxes w/o Exemptions:					\$79,173.00		

## Improvement / Building

### All improvements valued at income

Improvement #1: Residential State Code: F2 Living Area: sqft Value: N/A

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
DLA1	Detached Living Area 1	A - NO		2006	806.0
PTO	Detached Patio	A - NO		2006	60.0

Improvement #2: Residential State Code: F2 Living Area: sqft Value: N/A

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
RSH	Shed	G - NO		2002	528.0

Improvement #3: Residential State Code: F2 Living Area: 5850.0 sqft Value: N/A

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
LA	Living Area	G - SB		2003	5850.0
PAC	Terrace with cover	G - NO		2003	1358.0
PAC	Terrace with cover	G - NO		2006	1272.0
UTL	Attached Utility	G - NO		2003	492.0

Improvement #4: Residential State Code: F2 Living Area: 1800.0 sqft Value: N/A

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
LA	Living Area	G - SS		2003	1800.0
PAC	Terrace with cover	G - NO		2003	96.0
PAC	Terrace with cover	G - NO		2003	100.0

UTL	Attached Utility	G - NO	2003	492.0
SWP	Swimming Pool	* - A	2003	500.0
SH4	Shed (4 sides open)	V - NO	2003	800.0

**Improvement #5:** Residential State Code: F2 Living Area: sqft Value: N/A

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
DLA1	Detached Living Area 1	G - NO		1953	435.0
RSH	Shed	G - NO		1953	725.0
GAR	Detached Garage	G - SS		1953	667.0
PTO	Detached Patio	G - NO		2005	135.0

**Improvement #6:** Residential State Code: F2 Living Area: sqft Value: N/A

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
GAR	Detached Garage	G - SS		2005	104.0

**Improvement #7:** Commercial State Code: F2 Living Area: 5784.0 sqft Value: N/A

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
305	MANUFACTURING - LIGHT	D - G	MS-FB	2009	5784.0

## Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	IND	Industrial	16.9750	739431.00	0.00	0.00	\$0	\$0

## Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2023	N/A	N/A	N/A	N/A	N/A	N/A
2022	\$1,829,800	\$1,611,960	0	3,441,760	\$0	\$3,441,760
2021	\$1,752,260	\$1,538,020	0	3,290,280	\$0	\$3,290,280
2020	\$1,599,350	\$1,538,020	0	3,137,370	\$0	\$3,137,370
2019	\$1,408,420	\$1,523,230	0	2,931,650	\$0	\$2,931,650

## Deed History - (Last 3 Deed Transactions)

#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Deed Number
1		Deed	Deed			7285	0730	

**2023 data current as of Sep 14 2022 1:09AM.**

**2022 and prior year data current as of Sep 2 2022 7:34AM**

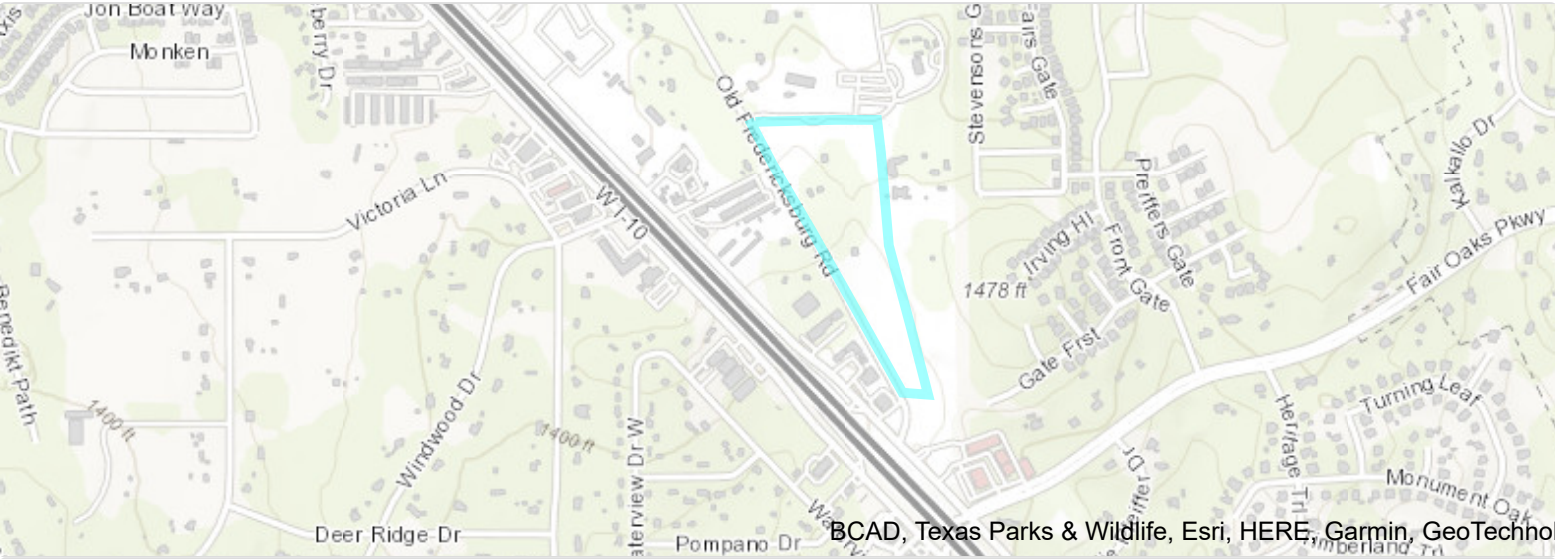
**For property information, contact (210) 242-2432 or (210) 224-8511 or email.**

**For website information, contact (210) 242-2500.**





Property Identification #: 251598	Property Information: 2023	Owner Identification #: 186917
Geo ID: 04707-000-0238 Situs 28800 OLD FREDERICKSBURG RD Address: BOERNE, TX 78015 Property Type: Real State Code: A1	Legal Description: CB 4707 P-23*(15.759 AC) & P-11E (5.717 AC) ABS 340 *FORMERLY P-21 Abstract: A04707 Neighborhood: IH10/RALPH FAIR (BO) Appraised Value: N/A Jurisdictions: 45, 11, CAD, 09, 08, 06, 61, 10	Name: HICKS JERRY S & ESTHER W Exemptions: DBA: Null



Bexar CAD Map Search

This product is for informational purposes only and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. The Bexar County Appraisal District expressly disclaims any and all liability in connection herewith.

## Bexar CAD

# Property Search > 251598 HICKS JERRY S & ESTHER W for Year 2022

Tax Year: 2022

## Property

## Account

Property ID:	251598	Legal Description:	CB 4707 P-23*(15.759 AC) & P-11E (5.717 AC) ABS 340 *FORMERLY P-21
Geographic ID:	04707-000-0238	Zoning:	OCL
Type:	Real	Agent Code:	
Property Use Code:	009		
Property Use Description:	LAND (potential development land)		

## Protest

Protest Status:

Informal Date:

Formal Date:

## Location

Address:	28800 OLD FREDERICKSBURG RD BOERNE, TX 78015	Mapsc0:	447A1
Neighborhood:	IH10/RALPH FAIR (BO)	Map ID:	
Neighborhood CD:	21022		

## Owner

Name:	HICKS JERRY S & ESTHER W	Owner ID:	186917
Mailing Address:	PO BOX 690070 SAN ANTONIO, TX 78269-0070	% Ownership:	100.0000000000%

Exemptions:

## Values

(+) Improvement Homesite Value:	+	\$147,150	
(+) Improvement Non-Homesite Value:	+	\$19,290	
(+) Land Homesite Value:	+	\$1,899,220	
(+) Land Non-Homesite Value:	+	\$140,160	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	\$0	\$0
(+) Timber Market Valuation:	+	\$0	\$0
-----			
(=) Market Value:	=	\$2,205,820	
(-) Ag or Timber Use Value Reduction:	-	\$0	
-----			
(=) Appraised Value:	=	\$2,205,820	
(-) HS Cap:	-	\$0	
-----			
(=) Assessed Value:	=	\$2,205,820	

## Taxing Jurisdiction

Owner: HICKS JERRY S &amp; ESTHER W

% Ownership: 100.0000000000%

Total Value: \$2,205,820

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax		
06	BEXAR CO RD & FLOOD	0.023668	\$2,205,820	\$2,205,820	\$522.08		
08	SA RIVER AUTH	0.018580	\$2,205,820	\$2,205,820	\$409.84		
09	ALAMO COM COLLEGE	0.149150	\$2,205,820	\$2,205,820	\$3,289.98		
10	UNIV HEALTH SYSTEM	0.276235	\$2,205,820	\$2,205,820	\$6,093.25		
11	BEXAR COUNTY	0.276331	\$2,205,820	\$2,205,820	\$6,095.36		
45	FAIR OAKS RANCH	0.351800	\$2,205,820	\$2,205,820	\$7,760.08		
61	BOERNE ISD	1.204600	\$2,205,820	\$2,205,820	\$26,571.31		
CAD	BEXAR APPRAISAL DISTRICT	0.000000	\$2,205,820	\$2,205,820	\$0.00		
Total Tax Rate:		2.300364					
					Taxes w/Current Exemptions:	\$50,741.90	
					Taxes w/o Exemptions:	\$50,741.90	

## Improvement / Building

Improvement #1: Residential State Code: A1 Living Area: 1560.0 sqft Value: \$119,020

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
LA	Living Area	A - WS		1963	1560.0
PAC	Terrace with cover	A - NO		1963	120.0

Improvement #2: Residential State Code: A1 Living Area: sqft Value: \$9,990

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
RSH	Shed	A - NO		2005	1288.0

Improvement #3: Residential State Code: A1 Living Area: sqft Value: \$9,340

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
GAR	Detached Garage	A - WS		1963	624.0

Improvement #4: Residential State Code: A1 Living Area: sqft Value: \$8,800

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
CAN	Canopy	A - NO		1963	2400.0

Improvement #5: Residential State Code: A1 Living Area: sqft Value: \$19,290

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
RSH	Shed	A - NO		2003	1404.0
PAC	Terrace with cover	A - NO		2003	676.0

## Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	RES	R/1 Family not Farm Single	20.0000	871200.00	0.00	0.00	\$1,899,220	\$0
2	RES	R/1 Family not Farm Single	1.4760	64294.56	0.00	0.00	\$140,160	\$0

## Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2023	N/A	N/A	N/A	N/A	N/A	N/A
2022	\$166,440	\$2,039,380	0	2,205,820	\$0	\$2,205,820
2021	\$150,360	\$1,478,090	0	1,628,450	\$0	\$1,628,450
2020	\$133,290	\$1,324,170	0	1,457,460	\$0	\$1,457,460
2019	\$133,520	\$1,324,170	0	1,457,690	\$0	\$1,457,690

## Deed History - (Last 3 Deed Transactions)

#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Deed Number
1	9/9/2003	CD	Correction Deed		HICKS, JERRY S & ESTHER W	10809	0034	20040137669
2		Deed	Deed		MCGINNIS, JACK M	4391	0921	0

**2023 data current as of Sep 22 2022 1:10AM.**

**2022 and prior year data current as of Sep 2 2022 7:34AM**

**For property information, contact (210) 242-2432 or (210) 224-8511 or email.**

**For website information, contact (210) 242-2500.**

# Tax Statement

# Legal Description

STATE OF TEXAS §  
COUNTY OF BEXAR §

**BEING A 16.697-ACRE TRACT OUT OF AND A PART OF THAT CERTAIN TRACT OR PARCEL OF LAND BEING ALL OF THE W.H. HUGHES SURVEY, ABSTRACT NUMBER 340, IN BEXAR COUNTY, TEXAS AS CONVEYED TO JERRY S. HICKS AND ESTER W. HICKS BY DEED RECORDED IN DOCUMENT NO. 20030250078, AND AS CORRECTED IN DOCUMENT NO. 20040137669, OF THE OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS, AND ALL OF THAT CERTAIN 0.269-ACRE TRACT, CONVEYED TO FAIR OAKS VILLAGE BY DEED RECORDED IN DOCUMENT NO. 20090240205, OFFICIAL PUBLIC RECORDS, BEXAR COUNTY, TEXAS, SAID 16.697-ACRES BEING MORING PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:**

**BEGINNING** at a 1/2-inch iron rod with “ACES” cap found for the southeast corner of this 16.697-acre tract, at the southwest corner of Lot 237 of Frontgate Unit 2B Subdivision, recorded in Volume 20001, Page 2161, Map & Plat Records, Bexar County, Texas (MPR), on the north boundary of Lot 2, Block 4 of the Fair Oaks Village Subdivision, recorded in Volume 9574, Page 136, Deed & Plat Records, Bexar County, Texas (DPR), and the **POINT OF BEGINNING**;

**THENCE South 71°24'38” West 180.86 feet** with the north boundary of said Lot 2, Block 4, to a 1/2-inch iron rod set with cap stamped “RPLS 6500” for the southwest corner of this 16.697-acre tract, at the northwest corner of said Lot 2, Block 4, on the existing Right-of-Way of Old Fredericksburg Road (a variable width Right-of-Way);

**THENCE** along the existing Right-of-Way of said Old Fredericksburg Road, the following four (4) courses and distances:

**North 29°32'56” West 61.08 feet** to a 1/2-inch iron rod found for an angle point of this 16.697-acre tract;

**North 30°31'12” West 292.45 feet** to a 1/2-inch iron set with cap stamped “RPLS 6500” for an angle point of this 16.697-acre tract;

**North 30°41'48” West 74.91 feet** to a 1/2-inch iron rod found for an angle point of this 16.697-acre tract;

**North 29°31'04” West 1034.04 feet** to a 1/2-inch iron set with cap stamped “RPLS 6500” for the northwest corner of this 16.697-acre tract, at the southwest corner of the remainder of the 21.476-acre tract recorded in Document No. 20040137669 Official Records, Bexar County, Texas (OR);

**THENCE North 73°36'11” East 435.96 feet** with the south boundary of the said remainder of 21.476-acre tract, to a 1/2-inch iron rod found for an angle point of this 16.697-acre tract, at the southeast corner of the said remainder of 21.476-acre tract, for an angle point of the remainder of Lot 1, Block 4 recorded in Volume 9559, Page 89 DPR;

**THENCE** through said Lot 1, Block 4, the following three (3) courses and distances:

**North 83°24'01” East 257.00 feet** to a 1/2-inch iron set with cap stamped “RPLS 6500” for an angle point of this 16.697-acre tract;

**South 03°30'27” East 137.37 feet** to a 1/2-inch iron set with cap stamped “RPLS 6500” for an angle point of this 16.697-acre tract;

**North 86°44'50” East 191.77 feet** to a 1/2-inch iron rod set with cap stamped “RPLS 6500” in the existing west boundary of said Frontgate Unit 2B Subdivision, for the northeast corner of this 16.697-acre tract;

**THENCE** along the existing west boundary of said Frontgate Unit 2B Subdivision, the following three (3) courses and distances:



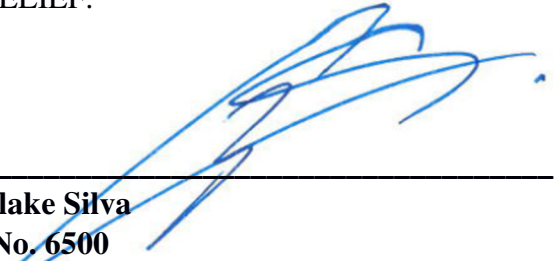
**South 01°02'08” East 459.75 feet** to a 1/2-inch iron rod found for an angle point of this 16.697-acre tract;

**South 01°07'23” East 714.73 feet** to a 1/2-inch iron rod found for an angle point of this 16.697-acre tract;

**South 01°50'30” East 63.79 feet** to the **POINT OF BEGINNING** and containing 16.697-acres of land, more or less.

BASIS OF BEARINGS DETERMINED BY GPS “RTK” OBSERVATIONS, NORTH AMERICAN DATUM OF 1983, TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS SOUTH CENTRAL ZONE 4204, GRID.

THIS SURVEY WAS PREPARED FROM AN ON THE GROUND SURVEY PERFORMED UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.



---

**Cory Blake Silva**  
**RPLS No. 6500**  
**April 23, 2022**  
**Job No. 220412042**



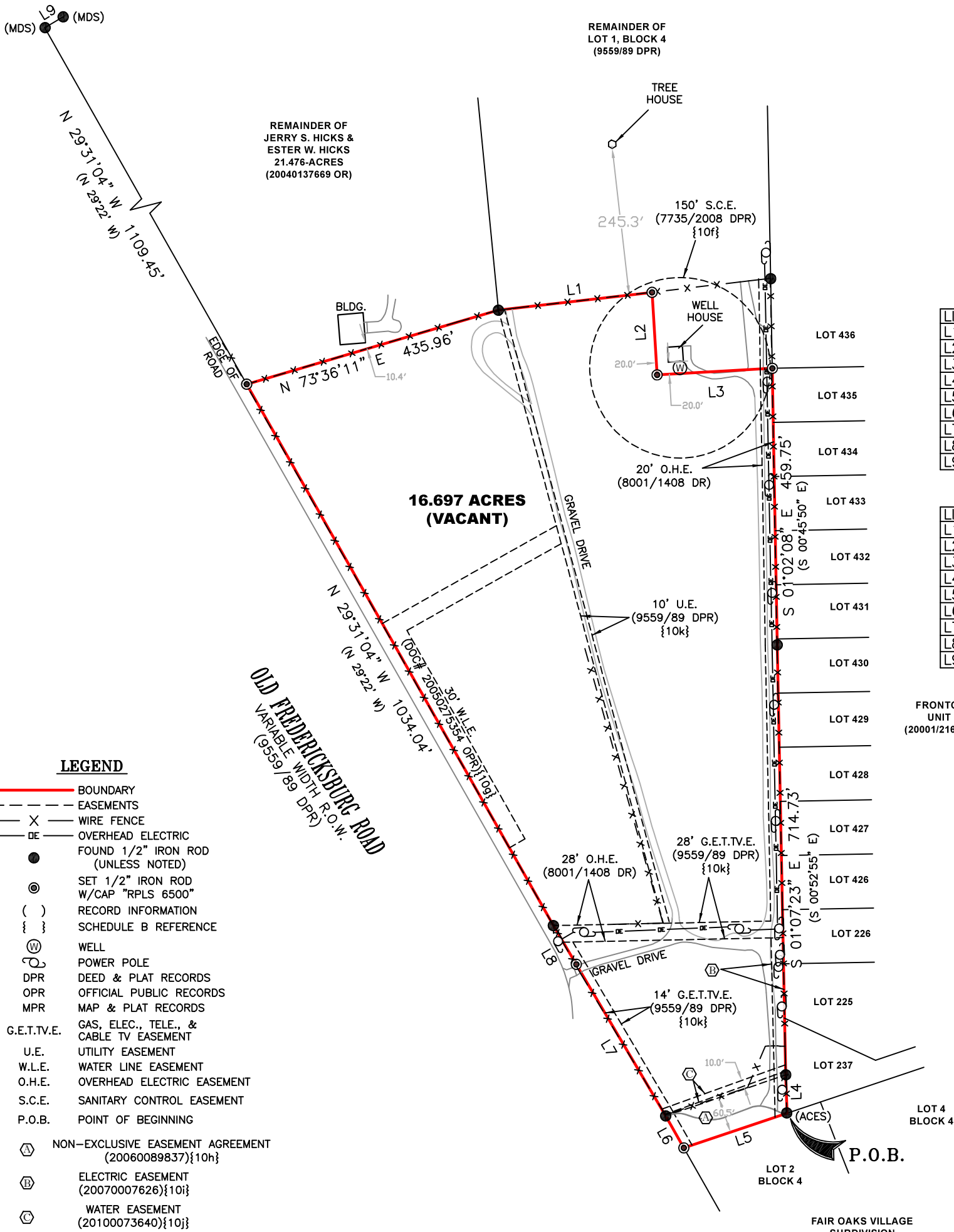


BUYER/OWNER: BRIGHT LAKES REAL ESTATE, LLC  
ADDRESS: 28550 OLD FREDRICKSBURG ROAD  
CITY, STATE, ZIP: BOERNE, TEXAS, 78015  
TITLE COMPANY: BANDERA TITLE COMPANY  
GF NUMBER: 22-1260



LAND TITLE SURVEY

BEING A 16.697-ACRE TRACT OUT OF THE W.H. HUGHES SURVEY, ABSTRACT NUMBER 340, IN BEXAR COUNTY, TEXAS, OUT OF LOT 1, BLOCK 4 OF HICKS PROPERTY DEVELOPMENT PLAT RECORDED IN VOLUME 9559, PAGE 89, DEED AND PLAT RECORDS OF BEXAR COUNTY TEXAS (DPR) AND A PART OF THAT CERTAIN TRACT OR PARCEL OF LAND BEING CONVEYED TO JERRY S. HICKS AND ESTER W. HICKS BY DEED RECORDED IN DOCUMENT NO. 20030250078, AND AS CORRECTED IN DOCUMENT NO. 20040137669, OF THE OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS, AND ALL OF THAT CERTAIN 0.269-ACRE TRACT, CONVEYED TO FAIR OAKS VILLAGE BY DEED RECORDED IN DOCUMENT NO. 20090240205, OFFICIAL PUBLIC RECORDS, BEXAR COUNTY, TEXAS.



SCALE  
1" = 200'

FIELD DATA

LINE	BEARING	DISTANCE
L1	N 83°24'01" E	257.00'
L2	S 03°30'27" E	137.37'
L3	N 86°44'50" E	191.77'
L4	S 01°50'30" E	63.79'
L5	S 71°24'38" W	180.86'
L6	N 29°32'56" W	61.08'
L7	N 30°31'12" W	292.45'
L8	N 30°41'48" W	74.91'
L9	N 59°12'04" E	34.98'

RECORD DATA

LINE	BEARING	DISTANCE
L1	---	---
L2	---	---
L3	---	---
L4	S 01°18'00" E	63.05'
L5	S 70°47'53" W	180.24'
L6	N 29°53'55" W	61.06'
L7	N 30°06'27" W	292.46'
L8	N 29°42'27" W	75.22'
L9	N 59°12' E	34.63'

FRONTGATE  
UNIT 2B  
(20001/2161 MPR)

LOT 4  
BLOCK 4

FAIR OAKS VILLAGE  
SUBDIVISION  
(9574/136 DPR)

ACCORDING TO FEMA MAP NO. 48029C0085F WITH AN EFFECTIVE DATE OF 09/29/2010, AND A REVISION DATE OF 08/28/2017, THIS PROPERTY LIES WITHIN ZONE X AND IS NOT WITHIN A SPECIAL FLOOD HAZARD AREA. THIS INFORMATION IS SUBJECT TO CHANGE AS A RESULT OF FUTURE MAP REVISIONS BY FEMA.

I, Cory Blake Silva, Registered Professional Land Surveyor number 6500, do hereby certify that a survey was made on the ground, under my supervision, on date as shown, of the property hereon described, and I do declare there are no conflicts known to me except as shown.



CORY BLAKE SILVA  
REGISTERED PROFESSIONAL LAND SURVEYOR  
TEXAS REGISTRATION NO. 6500

LEGEND

- BOUNDARY
- EASEMENTS
- WIRE FENCE
- OVERHEAD ELECTRIC
- FOUND 1/2" IRON ROD (UNLESS NOTED)
- SET 1/2" IRON ROD W/CAP "RPLS 6500"
- RECORD INFORMATION
- SCHEDULE B REFERENCE
- WELL
- POWER POLE
- DPR DEED & PLAT RECORDS
- OPR OFFICIAL PUBLIC RECORDS
- MPR MAP & PLAT RECORDS
- G.E.T.T.V.E. GAS, ELEC., TELE., & CABLE TV EASEMENT
- U.E. UTILITY EASEMENT
- W.L.E. WATER LINE EASEMENT
- O.H.E. OVERHEAD ELECTRIC EASEMENT
- S.C.E. SANITARY CONTROL EASEMENT
- P.O.B. POINT OF BEGINNING
- NON-EXCLUSIVE EASEMENT AGREEMENT (20060089837){10h}
- ELECTRIC EASEMENT (20070007626){10i}
- WATER EASEMENT (20100073640){10j}

NOTES

- BEARINGS AND DISTANCES SHOWN FOR THIS SURVEY WERE DETERMINED BY GPS "RTK" OBSERVATIONS, NORTH AMERICAN DATUM OF 1983, TEXAS STATE PLANE COORDINATE SYSTEM, FIPS ZONE 4204, TEXAS SOUTH CENTRAL ZONE, GRID.
- PER SCHEDULE B OF THE TITLE COMMITMENT REFERENCED ABOVE, THE FOLLOWING ITEMS MAY AFFECT THIS TRACT:
  - RESTRICTIONS RECORDED IN VOLUME 9559, PAGE 89, DEED AND PLAT RECORDS, BEXAR COUNTY, TEXAS.
  - ACCESS EASEMENT RECORDED IN VOLUME 2848, PAGE 2028, REAL PROPERTY RECORDS, BEXAR COUNTY, TEXAS. (MAY AFFECT, LOCATION NOT DEFINED)

# Deed

BOERNE TITLE COMPANY  
 GF# 97-1745  
 \$ 15.00

**CASH WARRANTY DEED**

**DATE:** DECEMBER 3rd, 1997

**97- 0174890**

**GRANTOR:** JACK M. MCGINNIS and wife, SUSAN F. MCGINNIS, Pro Forma

**GRANTOR'S MAILING ADDRESS (INCLUDING COUNTY):**

28800 Old Fredericksburg Road  
 Boerne, Texas 78015-9119  
 Bexar County

**GRANTEE:** JERRY S. HICKS and wife, ESTHER W. HICKS

**GRANTEE'S MAILING ADDRESS (INCLUDING COUNTY):**

P.O. Box 690070  
 San Antonio, Texas 78269  
 Bexar County

**CONSIDERATION:** Ten and No/100s Dollars and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged.

**PROPERTY:**

5.245 acres of land, more or less, out of that certain 56.782 acre tract described in Substitute Trustee's Deed recorded in Volume 4391, Page 921, Real Property Records of Bexar County, Texas, and said property being out of the W.H. Hughes Survey No. 173, Abstract No. 340, County Block 4707, Bexar County, Texas, said 5.245 acre tract being more particularly described by metes and bounds in Exhibit A attached hereto and incorporated herein.

**RESERVATIONS FROM & EXCEPTIONS TO CONVEYANCE & WARRANTY:**

1. Restrictive covenants and easements affecting the Property;
2. Standby fees and taxes for the current year and subsequent years, and subsequent assessments for prior years due to change in land usage or ownership, the payment of which Grantee assumes;
3. Liens created as part of this sales transaction, if any;
4. Utility easements, including drainage easements;
5. Those reservations or exceptions specified in the Policy of Title Insurance issued in this sales transaction;
6. The standard printed exceptions as to discrepancies, conflicts, shortages in area or boundary lines, encroachments or protrusions, or overlapping improvements, rights of parties in possession, waters, tidelands, beaches, streams, and related matters, as set out in the Policy of Title Insurance issued in this sales transaction; and

Furthermore, this conveyance is expressly made by Grantor and accepted by Grantee subject to any and all easements, encumbrances, conditions and restrictions, if any, relating to the hereinabove described Property, any governmental rules, regulations, statutes or ordinances affecting the subject Property, and only to the extent that the same may still be in force and effect.

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, **GRANTS, SELLS AND CONVEYS** to Grantee the Property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty.

When the context requires, singular nouns and pronouns include the plural.

**GRANTOR:**

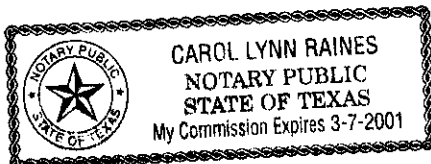
  
**JACK M. MCGINNIS**

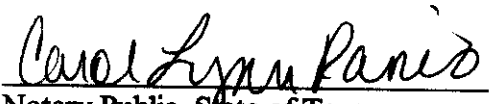
  
**SUSAN F. MCGINNIS, PRO FORMA**

STATE OF TEXAS \*

COUNTY OF Kendall \*

This instrument was acknowledged before me, the undersigned authority, on the 3 day of December, 1997, by **JACK M. MCGINNIS** and wife, **SUSAN F. MCGINNIS**, Pro Forma.



  
 Notary Public, State of Texas

**AFTER RECORDING RETURN TO:**

Mr. Jerry S. Hicks  
 Mrs. Esther W. Hicks  
 P.O. Box 690070  
 San Antonio, Texas 78269

YR 7285 PG 0731

**M.D.S. LAND SURVEYING CO.**

Boundary • Alta • Topographic • Construction

121 South Pecan • Boerne, Texas 78006  
Office (210) 249-9188 Fax (210) 249-9280**Field Notes for a 5.245 Acre Tract of Land**

Being a 5.245 acre tract of land out of the W. H. Hughes Survey No. 173, Abstract No. 340, County Block No. 4707, Bexar County, Texas, said 5.245 acre tract being a part of that certain 56.782 acre tract conveyed to Jack M. McGinnis by deed recorded in Volume 4391, Pages 921-933, Real Property Records, Bexar County, Texas, said 5.245 acre tract being more particularly described by metes and bounds as follows:

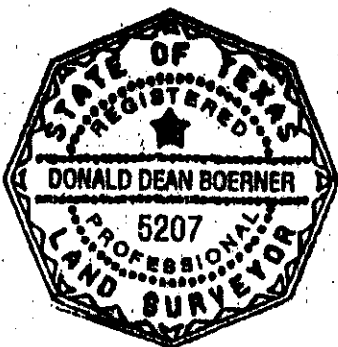
Beginning at a 1/2" iron rod found for the northeast corner of the herein described tract, a northeast corner of the above referenced 56.782 acre tract, the southeast corner of a 7.000 acre tract recorded in Volume 4811, Pages 226-229, Real Property Records, Bexar County, Texas and being in the west line of the Leslie S. Pfeiffer tract recorded in Volume 2069, Pages 450-453, Deed Records, Bexar County, Texas;

Thence, with the east line of said 56.782 acre tract, the west line of said Pfeiffer tract, S. 00°29'37" E., 608.95 feet to a 1/2" iron rod found for the southeast corner of the herein described tract, the eastern most southeast corner of said 56.782 acre tract, the northeast corner of a 5.728 acre tract recorded in Volume 6856, Pages 1681-1684, Real Property Records, Bexar County, Texas;

Thence, departing the west line of said Pfeiffer tract, with a south line of said 56.782 acre tract, a north line of said 5.728 acre tract, S. 89°23'35" W., 319.01 feet to a 1/2" iron rod found for the southwest corner of the herein described tract, the northwest corner of said 5.728 acre tract, a re-entrant corner of said 56.782 acre tract;

Thence, severing said 56.782 acre tract, N. 13°57'05" W., 580.92 feet to a 1/2" iron rod found for the northwest corner of the herein described tract, the southwest corner of said 7.000 acre tract, a corner of said 56.782 acre tract;

Thence, with the southeast line of said 7.000 acre tract, N. 83°53'49" E., 456.39 feet to the Place of Beginning and containing 5.245 acres of land.



*Donald Dean Boerner*  
Donald Dean Boerner  
Registered Professional Land Surveyor  
No. 5207 Job # 97-2571 11-25-1997

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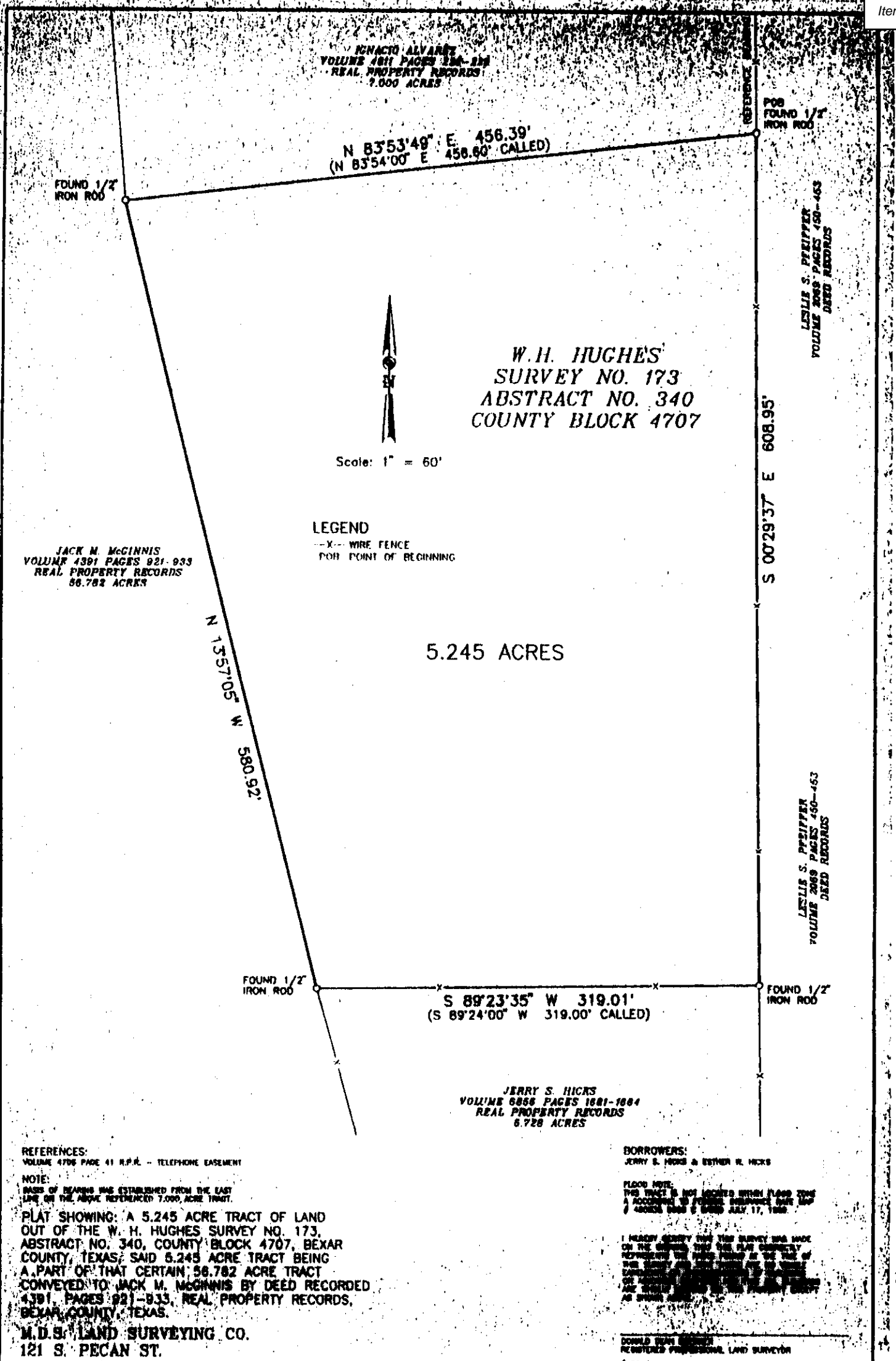


EXHIBIT A-2

VNL7285 P00733

## RECORDER'S MEMORANDUM

AT THE TIME OF RECORDATION, THIS  
INSTRUMENT WAS FOUND TO BE INADEQUATE  
FOR THE BEST PHOTOGRAPHIC REPRODUCTION  
BECAUSE OF ILLEGIBILITY, CARSON OR  
PHOTO COPY, DISCOLORED PAPER, ETC.

Any provision herein which restricts the sale, rental, or use of the described  
real property because of race is invalid and unenforceable under Federal law.  
STATE OF TEXAS, COUNTY OF BEXAR.  
I hereby certify that this instrument was FILED in the Number Sequence on  
the date and at the time stamped herein by me and was duly RECORDED in  
the Official Public Record. Real Property of Bexar County, Texas and

DEC 12 1997



*Gerry Rickhoff*  
COUNTY CLERK BEXAR COUNTY, TEXAS

Filed for Record in:  
BEXAR COUNTY, TX  
GERRY RICKHOFF, COUNTY CLERK

On Dec 10 1997

At 3:37pm

Receipt #: 86962  
Recording: 9.00  
Doc/Mgmt: 6.00

Doc/Num : 97- 0174890

Deputy -Deborah Greiner

VOL 7285 PG 0734



# Title Commitment

**Fidelity National Title Insurance Company**  
**SCHEDULE A**

Effective Date: **April 20, 2022** at 8:00 A.M  
 GF No.: **22-1260**

Commitment No.: **22-1260**, issued **September 21, 2022** at 8:00 A.M.

1. The policy or policies to be issued are:

- (a) OWNERS POLICY OF TITLE INSURANCE (Form T-1)  
 (Not applicable for improved one-to-four family residential real estate)

Policy Amount: **\$4,175,334.90**  
 PROPOSED INSURED: **BRIGHT LAKES REAL ESTATE, LLC**

- (b) TEXAS RESIDENTIAL OWNER POLICY OF TITLE INSURANCE  
 --ONE-TO-FOUR FAMILY RESIDENCES (Form T-1R)

Policy Amount: \$  
 PROPOSED INSURED:

- (c) LOAN POLICY OF TITLE INSURANCE (Form T-2)

Policy Amount: \$  
 PROPOSED INSURED:  
 Proposed Borrower:

- (d) TEXAS SHORT FORM RESIDENTIAL MORTGAGEE POLICY OF TITLE INSURANCE (Form T-2R)

Policy Amount: \$  
 PROPOSED INSURED:  
 Proposed Borrower:

- (e) MORTGAGEE TITLE POLICY BINDER ON INTERIM CONSTRUCTION LOAN (Form T-13)

Binder Amount:  
 PROPOSED INSURED:  
 Proposed Borrower:

- (f) OTHER

Policy Amount: \$  
 PROPOSED INSURED:

2. The interest in the land covered by this Commitment is: **FEE SIMPLE**

3. Record title to the land on the Effective Date appears to be vested in:  
**ESTHER W. HICKS (Subject to Schedule "C" No. 17)**

4. Legal description of land:

**BEING a 16.697 acre tract out of and a part of that certain tract or parcel of land being all of the W. H. Hughes Survey, Abstract Number 340, in Bexar County, Texas, as conveyed to Jerry S. Hicks and Ester W. Hicks by deed recorded in Document No .20030250078, and as corrected in Document No. 20040137669, of the Official Public Records of Bexar County, Texas, and all of that certain 0.269 acre tract, conveyed to Fair Oaks Village by deed recorded in Document No. 20090240205, Official Public Records, Bexar County, Texas; and being more particularly described in Exhibit "A" attached hereto and made a part hereof.**

**NOTE: The Company is prohibited from insuring the area or quantity of the land described herein. Any statement in the above legal description of the area or quantity of land is not a representation that such area or quantity is correct, but is made only for informational and/or identification purposes and does not override Item 2 of Schedule B hereof.**

Commitment No.: **22-1260**G.F. No.: **22-1260****Fidelity National Title Insurance Company****SCHEDULE B****EXCEPTIONS FROM COVERAGE**

In addition to the Exclusions and Conditions and Stipulations, your Policy will not cover loss, costs, attorneys' fees, and expenses resulting from:

1. The following restrictive covenants of record itemized below (We must either insert specific recording data or delete this exception):  
**Volume 9559, Page 89, Deed and Plat Records, Bexar County, Texas, but omitting any covenant or restriction based on race, color, religion, sex, handicap, familial status or national origin unless and only to the extent that said covenant (a) is exempt under Chapter 42, Section 3607 of the United States Code or (b) relates to handicap but does not discriminate against handicapped persons.**
2. Any discrepancies, conflicts, or shortages in area or boundary lines, or any encroachments or protrusions, or any overlapping of improvements.
3. Homestead or community property or survivorship rights, if any of any spouse of any insured. (Applies to the Owner Policy only.)
4. Any titles or rights asserted by anyone, including, but not limited to, persons, the public, corporations, governments or other entities,
  - a. to tidelands, or lands comprising the shores or beds of navigable or perennial rivers and streams, lakes, bays, gulfs or oceans, or
  - b. to lands beyond the line of the harbor or bulkhead lines as established or changed by any government, or
  - c. to filled-in lands, or artificial islands, or
  - d. to statutory water rights, including riparian rights, or
  - e. to the area extending from the line of mean low tide to the line of vegetation, or the rights of access to that area or easement along and across that area. (Applies to the Owner Policy only.)
5. Standby fees, taxes and assessments by any taxing authority for the year **2022**, and subsequent years; and subsequent taxes and assessments by any taxing authority for prior years due to change in land usage or ownership, but not those taxes or assessments for prior years because of an exemption granted to a previous owner of the property under Section 11.13, *Texas Tax Code*, or because of improvements not assessed for a previous tax year. (If Texas Short Form Residential Mortgagee Policy of Title Insurance (T-2R) is issued, that policy will substitute "which become due and payable subsequent to Date of Policy" in lieu of "for the year **2022** and subsequent years.")
6. The terms and conditions of the documents creating your interest in the land.
7. Materials furnished or labor performed in connection with planned construction before signing and delivering the lien document described in Schedule A, if the land is part of the homestead of the owner. (Applies to the Mortgagee Title Policy Binder on Interim Construction Loan only, and may be deleted if satisfactory evidence is furnished to us before a binder is issued.)
8. Liens and leases that affect the title to the land, but that are subordinate to the lien of the insured mortgage. (Applies to Mortgagee Policy (T-2) only.)
9. The Exceptions from Coverage and Express Insurance in Schedule B of the Texas Short Form Residential Mortgagee Policy of Title Insurance (T-2R). (Applies to Texas Short Form Residential Mortgagee Policy of Title Insurance (T-2R) only). Separate exceptions 1 through 8 of this Schedule B do not apply to the Texas Short Form Residential Mortgagee Policy of Title Insurance (T-2R).
10. The following matters and all terms of the documents creating or offering evidence of the matters (We must insert matters or delete this exception.):
  - (a) **Visible and apparent easements on or across property herein described, which do not appear of record.**
  - (b) **Any portion of subject property lying within the boundaries of a public or private roadway whether dedicated or not.**
  - (c) **Rights of Parties in possession (Owner Policy Only).**

Commitment No.: 22-1260

G.F. No.: 22-1260

**Fidelity National Title Insurance Company****SCHEDULE B****EXCEPTIONS FROM COVERAGE**

- (d) City zoning ordinances and restrictions, if any.
- (e) Access easement for ingress and egress as described in instrument recorded in Volume 2848, Page 2028, Real Property Records, Bexar County, Texas.
- (f) Sanitary Control Easement as recorded in Volume 7735, Page 2008, Real Property Records, Bexar County, Texas.
- (g) Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document: Granted to: Guadalupe Blanco River Authority Purpose: Pipeline easement for treated water Recording Date: November 23, 2005 Recording No: Document No. 20050275354, Official Public Records, Bexar County, Texas. Affects: As described therein
- (h) Non-exclusive easement agreement for access as described in Document No. 20060089837, Official Public Records, Bexar County, Texas.
- (i) Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document: Granted to: City Public Service Board of San Antonio Purpose: Electric line right-of-way agreement Recording Date: January 9, 2007 Recording No: Document No. 20070007526, Official Public Records, Bexar County, Texas. Affects: As described therein
- (j) Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document: Granted to: San Antonio Water System Board of Trustees Purpose: Permanent Easement - Water Recording Date: April 29, 2010 Recording No: Document No. 20100073640, Official Public Records, Bexar County, Texas. Affects: As described therein
- (k) Restrictions, easements, setbacks, reservations, conditions, and stipulations, as set out in Volume 9559, Page 89, Deed and Plat Records, Bexar County Texas.
- (l) All leases, grants, exceptions or reservations of coal, lignite, oil, gas and other minerals, together with all rights, privileges, and immunities related thereto, appearing in the Public Records whether listed in Schedule B or not. There may be leases, grants, exceptions or reservations of mineral interest that are not listed.
- (m) The following matters as shown and referred to on Survey Plat dated May 20, 2022, prepared by Cory Blake Silva, R.P.L.S. No. 6500:
  - 1. 10' U.E.
  - 2. 20' O.H.E.
  - 3. 30' W.L.E.
  - 4. 28' G.E.T.TV.E.
  - 5. Water Easement across Southern portion of property
  - 6. 150' S.C.E.
  - 7. 14' G.E.T.TV.E.
  - 8. 28' O.H.E.
  - 9. Overhead Electric
  - 10. Electric Easement along East property line

**Fidelity National Title Insurance Company****SCHEDULE C**Commitment No.: **22-1260**G.F. No.: **22-1260**

Your Policy will not cover loss, costs, attorneys fees, and expenses resulting from the following requirements that will appear as Exceptions in Schedule B of the Policy, unless you dispose of these matters to our satisfaction, before the date the Policy is issued:

1. Documents creating your title or interest must be approved by us and must be signed, notarized and filed for record.
2. Satisfactory evidence must be provided that:
  - no person occupying the land claims any interest in that land against the persons named in paragraph 3 of Schedule A,
  - all standby fees, taxes, assessments and charges against the property have been paid,
  - all improvements or repairs to the property are completed and accepted by the owner, and that all contractors, sub-contractors, laborers and suppliers have been fully paid, and that no mechanic's, laborer's or materialmen's liens have attached to the property,
  - there is legal right of access to and from the land,
  - (on a Mortgagee Policy only) restrictions have not been and will not be violated that affect the validity and priority of the insured mortgage.
3. You must pay the seller or borrower the agreed amount for your property or interest.
4. Any defect, lien or other matter that may affect title to the land or interest insured, that arises or is filed after the effective date of this Commitment.
5. The title insurance policy being issued to you contains an arbitration provision. It allows you or the Company to require arbitration if the amount of insurance is \$2,000,000.00 or less. If you want to retain your right to sue the Company in case of a dispute over a claim, you must request deletion of the arbitration provision before the policy is issued. If you are the lender in the transaction and elect deletion of the arbitration provision, please inform us through your loan closing instructions.
6. NOTE TO ALL BUYERS, SELLERS, BORROWERS, LENDERS AND ALL PARTIES HAVING A VESTED INTEREST IN THE TRANSACTION COVERED BY THIS COMMITMENT. BANDERA TITLE COMPANY, IN COMPLIANCE WITH APPLICABLE RULES OF THE STATE BOARD OF INSURANCE AND AUDIT REQUIREMENTS, HAS ADOPTED THE FOLLOWING PROCEDURES AND REQUIREMENTS FOR DISBURSEMENT OF FUNDS IN CONNECTION WITH THIS TRANSACTION. THE FOLLOWING CONSTITUTES A REQUIREMENT FOR DISBURSEMENT OF FUNDS BY BANDERA TITLE COMPANY FOR THIS TRANSACTION:  
 The State Board of Insurance has adopted Procedural Rule P-27 which will require that "Good Funds" be received and deposited before BANDERA TITLE COMPANY may disburse from its Escrow Account. "Good Funds" is defined as:
  - a. Cash or wire transfer;
  - b. Certified checks, cashier's checks and teller's checks, as further described in definition "g" of this rule;
  - c. Uncertified funds in amount less than \$1,500.00, including checks, traveler's checks, money orders, and negotiable orders of withdrawal; provided multiple items shall not be used to avoid the \$1,500.00 limitation;
  - d. Uncertified funds in the amount of \$1,500.00 or more, drafts and any other times when collected by the financial institution;
  - e. State of Texas Warrant;
  - f. United States Treasury Checks;

**Fidelity National Title Insurance Company****SCHEDULE C**Commitment No.: **22-1260**G.F. No.: **22-1260**

- g. Checks drawn on a bank or savings and loan association insured by the FDIC or FSLIC and for which a transaction code has been issued pursuant to, and in compliance with, a fully executed immediately available funds procedures agreement (form T-37) and such bank or savings and loan association.
- h. Checks by city and county governments in the State of Texas.
- 7. Company must be furnished true and correct copies of all documents to be used in closing the transaction to be insured hereunder at least forty-eight (48) hours prior to closing. Company reserves the right to make additional requirements after receipt and review of said documents.
- 8. Our office requires an affidavit as to debts and liens to be signed at closing.
- 9. Payment of any and all taxes now due and payable up to and including the year 2021.
- 10. Upon determination that the proposed insured property is being assessed for tax purposes other than agricultural and at a fair market value and the payment of the additional premium required for the amendment, Item 3, Schedule B will be amended to read as follows, in the Loan Policy of Title Insurance: "Taxes for the year 2022, and subsequent years, not yet due and payable".
- 11. Item 2, Schedule B may be amended, upon request, to read "Shortages in area" in the Loan Policy of Title Insurance if we are furnished a survey prepared by an approved licensed surveyor who certifies that there are no discrepancies, conflicts in boundary lines, encroachments, or overlapping of improvements.
- 12. Item 2, Schedule B may be amended, upon request, to read "Any shortages in area" in the Owners Policy of Title Insurance if we are furnished a survey prepared by an approved licensed surveyor who certifies that there are no discrepancies, conflicts in boundary lines, encroachments, or overlapping of improvements; and the payment of the additional premium required for this amendment.
- 13. "Rights of parties in possession" shown in Schedule B of this commitment will be deleted from the Owners Policy of Title Insurance ONLY if an inspection is made and paid for which shows no parties in possession other than the purchasers. If such an inspection is not required, the purchaser must sign a Waiver of Inspection and acknowledge that they understand that the Owners Policy of Title Insurance will be issued subject to the rights of parties in possession.
- 14. Company reserves the right to revise this Commitment and/or to make additional requirements and/or exceptions upon receipt and review of the documents to be used for closing of the transaction(s) to be insured hereunder.
- 15. Company reserves the right to revise this Commitment and to make additional requirements and/or exceptions upon receipt of a new survey of the Property.
- 16. **Please be advised that our search did not disclose any open Deeds of Trust of record. If you should have knowledge of any outstanding obligation, please contact the Title Department immediately for further review prior to closing.**
- 17. **We have obtained a certified copy of the probate in the Estate of Jerry S. Hicks, deceased, filed in Cause No. 2012PC3378, in the Probate Court in Bexar County, Texas. Said probate to be recorded in the Official Public Records of Bexar County, Texas, at or before closing:**
- 18. **Intentionally deleted.**
- 19. **Intentionally deleted.**
- 20. **We must be furnished a copy of Articles of Organization for Bright Lakes Real Estate, LLC AND a Certificate of Organization from the Secretary of State for said L.L.C.; further requirements may be necessary.**
- 21. **Paragraph 1 of the Commercial Contract - Unimproved Property states that the Buyer as Bright Lakes Real Estate and/or assignees. If assigned, we will require the name and entity of the assignees, and we reserve the right to add requirements and/or exceptions.**

**Fidelity National Title Insurance Company****SCHEDULE C**Commitment No.: **22-1260**G.F. No.: **22-1260**

22. The Company must be furnished with a marital affidavit from each record owner from the date of his/her acquisition of subject property to the present time. The spouse of each record owner must join in any conveyance of subject property.
23. Documents and acknowledgement therein creating your title or interest must be approved by this office and must be properly signed, notarized and filed for record.
24. Pursuant to the US Patriot Act and the requirements and regulations associated therewith, at the time of Closing, EACH BORROWER, BUYER, AND SELLER will be required to complete certain identification information forms AND provide the following: For Individuals - (a) Name(s); (b) Date(s) of birth; (c) Street Address, if no street address, then a military P. O. Box number or street address of next of kin or another contact individual; For Businesses, Trusts, or Partnerships - (a) The principal place of business, local office, or other physical location; (b) Identification numbers from an official, government issued, non-expired, picture identification, and taxpayer ID Number; For Non-US Persons -(a) Taxpayer ID Number; (b) Passport Number with country of issuance; and, (c) Alien ID Card Number, or other Foreign Issued Picture ID.
25. PLEASE NOTE: WE MUST RECEIVE CLOSING INSTRUCTIONS AND ALL DOCUMENTS REQUIRING SIGNATURE AT LEAST 24 HOURS PRIOR TO THE TIME OF CLOSING. THIS IS FOR THE CUSTOMER'S CONVENIENCE AS WELL AS QUALITY CONTROL. KEEP IN MIND THAT OUR OVERNIGHT DELIVERIES DO NOT ARRIVE UNTIL EARLY AFTERNOON. PLEASE NOTE: Our MAIN email address is:  
[info@banderatitlecompany.com](mailto:info@banderatitlecompany.com)  
 Lydia Benedict      [lydia@banderatitlecompany.com](mailto:lydia@banderatitlecompany.com)  
 Linda Bode          [lbode@banderatitlecompany.com](mailto:lbode@banderatitlecompany.com)  
 Jessica Campbell   [jessica@banderatitlecompany.com](mailto:jessica@banderatitlecompany.com)
26. We must be given the opportunity to check this file down prior to closing and funding; further requirements may be necessary.





**DELETION OF ARBITRATION PROVISION**  
(Not applicable to the Texas Residential Owner Policy)

**ARBITRATION** is a common form of alternative dispute resolution. It can be a quicker and cheaper means to settle a dispute with your Title Insurance Company. However, if you agree to arbitrate, you give up your right to take the Title Company to court and your rights to discovery of evidence may be limited in the arbitration process. In addition, you cannot usually appeal an arbitrator's award.

Your policy contains an arbitration provision (shown below). It allows you or the Company to require arbitration if the amount of insurance is \$2,000,000 or less. If you want to retain your right to sue the Company in case of a dispute over a claim, you must request deletion of the arbitration provision before the policy is issued. You can do this by signing this form and returning it to the Company at or before the Closing of your real estate transaction or by writing to the Company.

The arbitration provision in the Policy is as follows:

“Either the Company or the Insured may demand that the claim or controversy shall be submitted to arbitration pursuant to the Title Insurance Arbitration Rules of the American Land Title Association (“Rules”). Except as provided in the Rules, there shall be no joinder or consolidation with claims or controversies of other persons. Arbitrable matters may include, but are not limited to, any controversy or claim between the Company and the Insured arising out of or relating to this policy, any service in connection with its issuance or the breach of a policy provision, or to any other controversy or claim arising out of the transaction giving rise to this policy. All arbitrable matters when the Amount of Insurance is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Insured, unless the Insured is an individual person (as distinguished from an Entity). All arbitrable matters when the Amount of Insurance is in excess of \$2,000,000 shall be arbitrated only when agreed to by both the Company and the Insured. Arbitration pursuant to this policy and under the Rules shall be binding upon the parties. Judgment upon the award rendered by the Arbitrator(s) may be entered in any court of competent jurisdiction.”

I request deletion of the Arbitration provision.

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
DATE

# Preliminary Site Plan



222 RIDGECREST  
SAN ANTONIO, TX 78209  
ph. 210 829 1888  
fax 210 829 1899

ARCHITECT  
ERIC A. BRENDLER JR.  
09/09/22  
NOT FOR REGULATORY  
APPROVAL PERMITTING  
OR CONSTRUCTION

CONSULTANT  
Company Name  
Address  
Address  
Phone

ISSUANCE:

REVISIONS:

PROJECT:

Fair Oaks  
Town Center

San Antonio, TX

DRAWING TITLE:

SITE PLAN

CHECKED BY:

DRAWN BY:

PROJECT No.

MKT

DATE:

09/09/2022

DRAWING NO.:

SD1

Page 56

CITY OF FAIR OAKS RANCH  
DEVELOPMENT REQUIREMENTS

APPROXIMATE PROPERTY AREA = 725,887 SF

FRONT YARD  
20' MAX

REAR YARD  
10' MIN.

SIDE YARD  
5' MIN.

LOT FRONTAGE  
(60% PROVIDED)

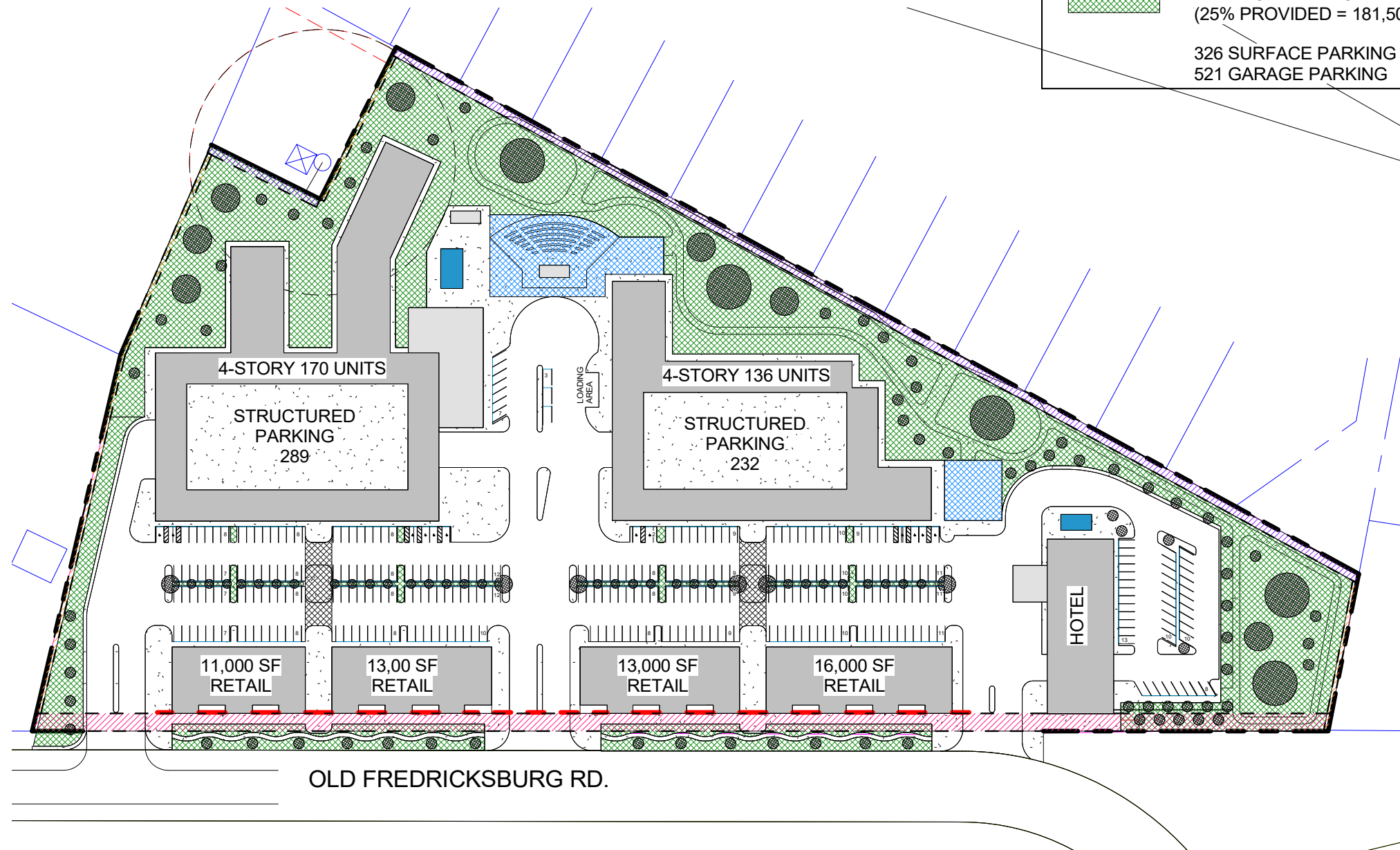
COMMUNITY SQUARE/  
PLAZA (10% PROVIDED = 19,050 SF)

LANDSCAPE SPACE  
(25% PROVIDED = 181,500 SF)

326 SURFACE PARKING  
521 GARAGE PARKING

MIXED-USE VILLAGE

- ALLOWABLE USES: OFFICE, RESTAURANTS, RETAIL SALES, HOTEL, MULTIFAMILY, TOWNHOMES
- 4 STORIES MAX ALLOWED
- PEDESTRIAN FRIENDLY FRONTAGE
- PARKING LOT BEHIND OR TO THE SIDE OF THE PRIMARY BUILDING
- BUILDING TO BE ORIENTED TOWARDS PRIMARY STREET WITH PEDESTRIAN ENTRANCE
- "HILL COUNTRY" AESTHETIC FOR GROUND FLOOR FACADES
- FLOOR TO HEIGHT REQUIREMENTS:
  - 12' MIN FOR BUILDINGS ALONG OLD FREDRICKSBURG RD.
  - 10' MIN FOR ALL OTHER FRONTAGES
- LOT FRONTAGE: 60% MIN.
- LANDSCAPING REQUIREMENTS: 25% MIN.
- COMMUNITY GREEN PLAZA OR SQUARE: 10% MIN.
- PARKING LOT LANDSCAPING: 10% MIN. PORTION OF PARKING LOT



Not for Construction - Preliminary Review Set

1 Site Plan Requirements  
1 : 1800

**ALBERT URESTI, MPA, PCAC**

Bexar County Tax Assessor-Collector

**2021 REAL PROPERTY****04707-504-0011**

(ACCOUNT NUMBER)

09/14/2022

**OWNER:**

**HICKS JERRY S & ESTHER W**  
**PO BOX 690070**  
**SAN ANTONIO, TX 78269-0070**

**LEGAL DESCRIPTION:**

**CB 4707E BLK 4 LOT 1 EXCEPT S IRR**  
**419.37 FT (DEVELOPMENT PLAT HICKS**  
**PROPERTY)**

**LOCATION: 28550 OLD FREDERICKSBURG RD****ACREAGE: 16.9750**

APPAISED VALUE		CAP VALUE	HOMESTEAD VALUE	NON-QUAL VALUE
LAND	IMPROVEMENT			
1,538,020	1,752,260	0	0	3,290,280
AGRI. MKT VALUE		PROD VALUE		ASSESSED VALUE
0		0		3,290,280

TAXING UNIT	EXEMPTIONS				TAXABLE VALUE	TAX RATE	TAX AMOUNT
ROAD AND FLOOD	0	0	0	0	3,290,280	0.023668	778.74
ALAMO COMM COLLEGE	0	0	0	0	3,290,280	0.149150	4,907.45
HOSPITAL DISTRICT	0	0	0	0	3,290,280	0.276235	9,088.90
BEXAR COUNTY	0	0	0	0	3,290,280	0.276331	9,092.06
SA RIVER AUTHORITY	0	0	0	0	3,290,280	0.018580	611.33
FAIR OAKS RANCH	0	0	0	0	3,290,280	0.351800	11,575.21

**TAXES FOR 2021:** \$36,053.69**PAYMENTS MADE FOR 2021 (EXCLUDING PENALTY AND INTEREST):** \$36,053.69**REMAINING AMOUNT DUE FOR 2021:** \$0.00

**IF YOU BELIEVE THIS STATEMENT WAS MAILED TO YOU IN ERROR, PLEASE CALL OUR OFFICE AT (210) 335-2251.**  
**THIS BILL REFLECTS ADJUSTMENTS MADE BY APPRAISAL DISTRICT TO OWNERSHIP, VALUES, OR EXEMPTIONS.**

DETACH HERE AND RETURN WITH PAYMENT

5.1.112

Para obtener informacion, por favor llame (210) 335-2251. Please call (210) 335-2251 for information.

**ASSESSMENT RATIO FOR ALL UNITS IS 100%. SEE BACK OF STATEMENT OR NEWSLETTER FOR IMPORTANT TAX INFORMATION.**

09/14/2022

**2021 Payment Amount Due:**

If paid in SEP 2022 **0.00**  
 If paid in OCT 2022 **0.00**  
 If paid in NOV 2022 **0.00**

**BECAME DELINQUENT AFTER**  
**JANUARY 31, 2022**  
**AMOUNT PAID:**

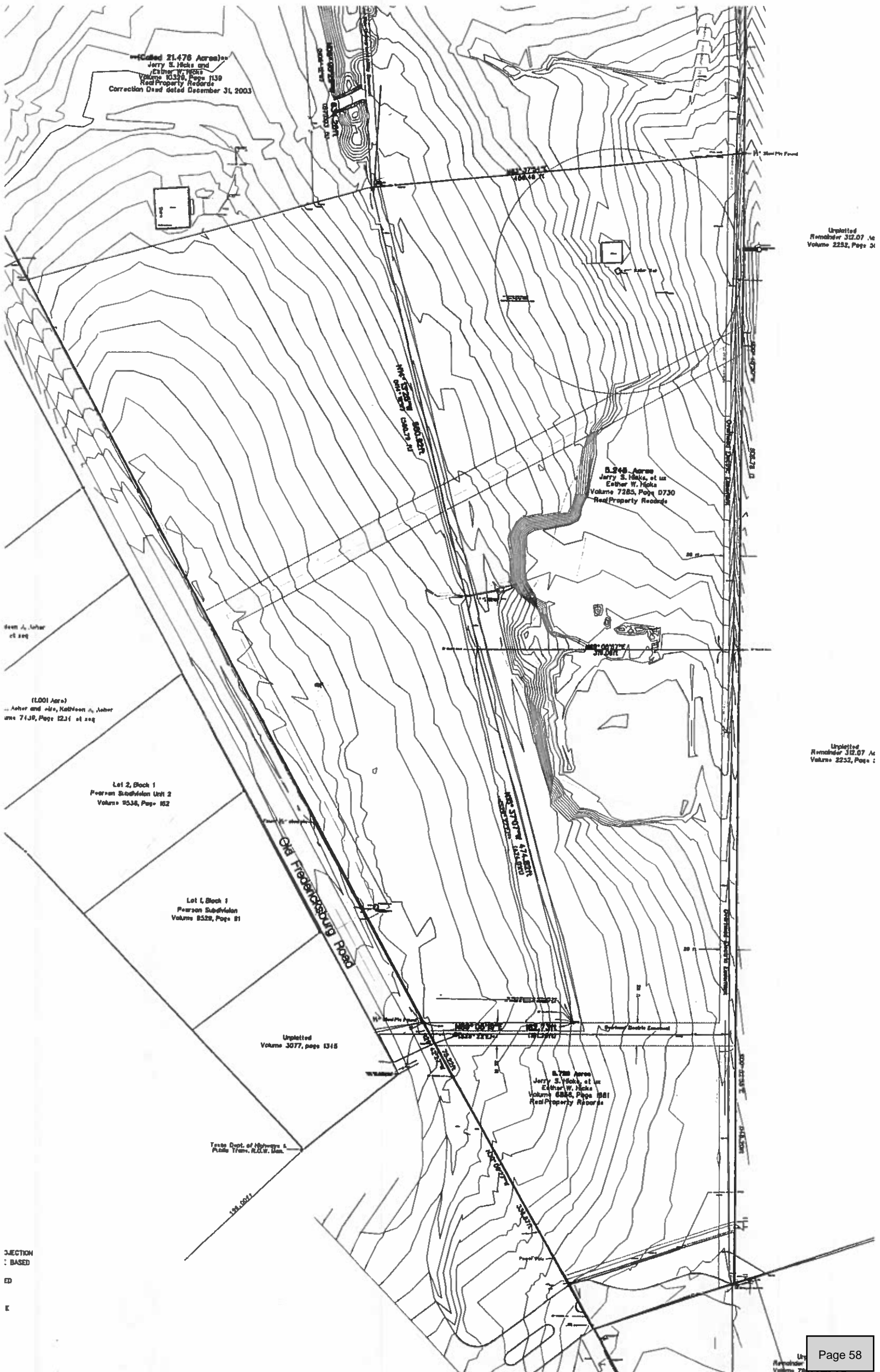
**04707-504-0011**

**HICKS JERRY S & ESTHER W**  
**PO BOX 690070**  
**SAN ANTONIO, TX 78269-0070**

**MAKE CHECK PAYABLE TO:**

**ALBERT URESTI, MPA, PCAC**  
**BEXAR COUNTY TAX ASSESSOR-COLLECTOR**  
**P O BOX 2903**  
**SAN ANTONIO, TX 78299-2903**

047075040011600 0000000000 0000000000 0000000000 0000000000 0000000000 0000000000



- c. A Special Use Permit (S) is allowed **only if approved by City Council** in accordance the standards found in Section 3.7.
- d. Not Permitted (NP)
- (2) For uses not listed, the City Manager shall use the descriptions found in Appendix B: Definitions to determine how an unlisted use should be treated. The City Manager shall produce an administrative policy for addressing unlisted uses, consistent with all other provisions of this UDC, either allowing for administrative decisions by the City Manager or requiring legislative action by the City Council, or a combination of both the above, depending on the circumstance.

**Table 4.2: Use Table**

Zoning District	Mixed Use Village	Neighborhood Commercial	Community Facilities	Logistics	Existing Residential	Neighborhood Residential	Rural Residential	Open Space <sup>1</sup>
Retail Sales or Service <u>with no drive through facility</u>	P	P	NP	NP	NP	NP	NP	NP
Retail Sales or Service <u>with drive through facility</u> (includes retail with associated fuel sales)	P/C	NP	NP	NP	NP	NP	NP	NP
Bars	S	S	NP	NP	NP	NP	NP	NP
Food Service Uses such as full-service restaurants, cafeterias, bakeries catering and snack bars <u>with no drive through facilities</u>	P	P	NP	P	NP	NP	NP	NP
Art, antique, museum, furniture or galleries (retail, repair or artisanal fabrication)	P	P	NP	P	NP	NP	NP	NP
Entertainment, theater, cinema, or music venue	P/C	NP	NP	P/C	NP	NP	NP	NP
Sexually Oriented Business	NP	NP	NP	P	NP	NP	NP	NP
Commercial/ Office <u>with no drive through facility</u>	P	P	NP	NP	NP	NP	NP	NP

Zoning District	Mixed Use Village	Neighborhood Commercial	Community Facilities	Logistics	Existing Residential	Neighborhood Residential	Rural Residential	Open Space <sup>1</sup>
Commercial/ Office <u>with drive through facility</u>	P	NP	NP	NP	NP	NP	NP	NP
Pet and animal sales or service	P	NP	NP	P	NP	NP	NP	NP
Fitness, recreational sports, gym, athletic club, dance or yoga studio	P	P	P	P	NP	NP	NP	NP
Parks, greens, plazas, squares, and playgrounds	P	P	P	P	P	P	P	P
Business associations and professional membership organizations	P	P	P	P	NP	NP	NP	NP
Childcare, day care, and preschools	P/C	P/C	P/C	NP	NP	NP	NP	NP
Family home child care	P/C	P/C	P/C	NP	S	S	S	NP
Schools, libraries, and community/civic facilities	P	NP	P	NP	NP	NP	NP	NP
Religious Institutions	NP	NP	P	P	NP	NP	NP	NP
Universities and Colleges and Technical, trade, and specialty schools	P	NP	P	P	NP	NP	NP	NP
Hospitals and nursing establishments	P	NP	P	NP	NP	NP	NP	NP
Social, fraternal and philanthropic organizations	P	P	P	P	NP	NP	NP	NP
Transitional Housing	S	S	S	S	S	S	S	NP
Community or Group Homes	P/C	P/C	P/C	P/C	P/C	P/C	P/C	NP
Public administration uses (including local, state, and federal government uses, public safety, health and human services)	P	P	P	P	NP	NP	NP	NP



Zoning District	Mixed Use Village	Neighborhood Commercial	Community Facilities	Logistics	Existing Residential	Neighborhood Residential	Rural Residential	Open Space <sup>1</sup>
Funeral homes	P/C	NP	NP	NP	NP	NP	NP	NP
Single Family Residential	P	NP	P	NP	P	P	P	NP
Accessory Building Residential Unit (Garage Apt.)	P	P	P	P	P	P	P	NP
Single-family Residential Attached/ Townhomes/ Patio Home/ Duplex/ Multi Unit Home (3-4 Units)	P	P	P	P	P/C	NP	NP	NP
Multi-family Residential	P	NP	NP	NP	NP	NP	NP	NP
Home Occupations	P	P	P	P	P	P	P	NP
Manufactured Housing	NP	NP	NP	P/C	NP	NP	NP	NP
Auto and Vehicle Related Sales and Service Establishment	NP	NP	NP	P/C	NP	NP	NP	NP
Brewery, Distillery, or Winery	NP	NP	NP	P	NP	NP	NP	NP
Brewpub (restaurant with auxiliary: Brewery, Distillery, or Winery)	P	NP	NP	P	NP	NP	NP	NP
Commercial food, textile and product manufacturing	NP	NP	NP	NP	NP	NP	NP	NP
Heavy manufacturing that may produce hazardous waste	NP	NP	NP	NP	NP	NP	NP	NP
Miscellaneous light manufacturing (Manufacturing processes that do not create hazardous waste)	NP	NP	NP	P	NP	NP	NP	NP
Warehouse and Self-Storage	NP	NP	NP	P/C	NP	NP	NP	NP
Climate Controlled Self-Storage	P/C	NP	NP	P/C	NP	NP	NP	NP
Transportation services (air, rail, road, truck and freight)	NP	NP	NP	P	NP	NP	NP	NP

Zoning District	Mixed Use Village	Neighborhood Commercial	Community Facilities	Logistics	Existing Residential	Neighborhood Residential	Rural Residential	Open Space <sup>1</sup>
Telecommunications and broadcasting (radio, TV, cable, wireless communications, telephone, etc.)	S	S	S	S	S	S	S	NP
Utility Facilities (electric, natural gas, alternative)	P/C	P/C	P/C	P/C	P/C	P/C	P/C	NP
Hotel (45 or fewer rooms)	P	NP	NP	NP	NP	NP	NP	NP
Hotels (more than 45 rooms)	P	NP	NP	NP	NP	NP	NP	NP
Bed and Breakfast (5 or fewer guest rooms)	P	P/C	P	P/C	P/C	P/C	P/C	NP
Parking, structured	P	NP	NP	NP	NP	NP	NP	NP
Veterinary Services	P	NP	NP	P	NP	NP	NP	NP
Commercial Stables/Boarding	NP	NP	S	S	S	S	S	NP

<sup>1</sup> Open Spaces are reserved for active or passive recreation, and for the preservation of land in its natural state. Building on, or modification of, land in Open Space districts is generally prohibited except where incidental to a larger purpose of preserving and enhancing Open Space areas; or, where necessary for public health and safety purposes. The only exception is the category in Table 4.2 described as “Parks, greens, plazas, squares, and playgrounds.” These uses are allowed in Open Space districts, provided that vertical construction is kept to a minimum and, in the opinion of the City Manager, the primary purpose of the land use is not to provide for activity intended for other districts nor to otherwise circumvent this provision and the intent of this zoning UDC and the Comprehensive Plan of Fair Oaks Ranch.

## Section 4.10 Conditional Uses

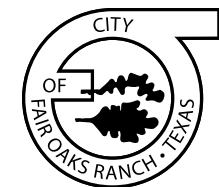
### (1) Retail Sales or Service with Drive Through Facility

Retail Service with drive through facility will be governed by design guidelines promulgated by the City or by a design UDC. Until such guidelines are adopted, an applicant will develop plans consistent with the comprehensive plan and submit them to the City for approval by the City Manager (or designee), with appeal to the Zoning Board of Adjustment.

# Exhibit Property Owner Response MAP

28550 & 28800  
Old Fredericksburg Rd.,  
Fair Oaks Ranch, Texas

- Respondent (For) - 0
- Respondent (Against) - 24
- Subject Property
- Notification Area
- City Limits
- Outside City Limits
- Notification Area In City Limit

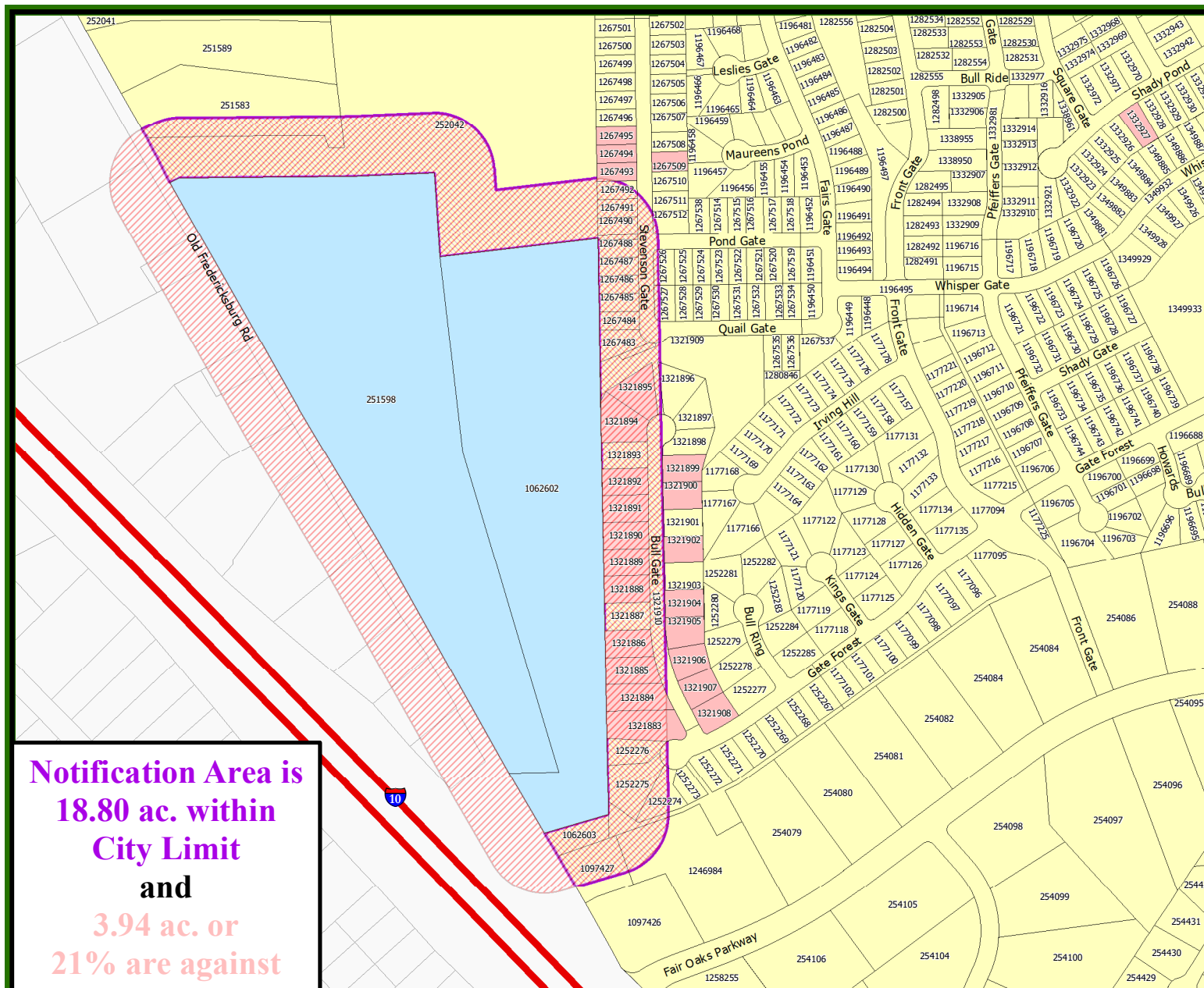


November 2022



1" ≈ 500'

**Notification Area is  
18.80 ac. within  
City Limit  
and  
3.94 ac. or  
21% are against**



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

Properties within Notification Area						PERCENTAGE OF LOT WITHIN OF NOTIFICATION ZONE			
SITE ADDRESS	MAILING ADDRESS	PROP ID	OWNER	LEGAL DESCRIPTION	RESPONSE	TOTAL ACRES	ACRES WITHIN NOTIFICATION ZONE	PERCENTAGE OF LOT WITHIN OF NOTIFICATION ZONE	PERCENTAGE OF NOTIFICATION ZONE
28980 OLD FREDERICKSBURG RD	28980 OLD FREDERICKSBURG RD BOERNE, TX 78015-9119	251583	KELLY MICHAEL V & JACQUELYN	CB 4707 P-11H (3.2016), P-21D (1514)		3.32	0.99	30%	5.26%
28800 OLD FREDERICKSBURG RD	PO BOX 690070 SAN ANTONIO, TX 78269-0070	251598	HICKS JERRY S & ESTHER W	CB 4707 P-23*(15.759 AC) & P-11E (5.717 AC) ABS 340 *FORMERLY P-21	Subject Prop	Subject Prop	0%	0.00%	
9200 DIETZ ELKHORN	METHODIST CHURCH 9200 DIETZ ELKHORN BOERNE, TX 78015	252042	SPRING CREEK UNITED	CB 4707E BLK LOT 8 EXC NW 250 OF NE 453 92FT (29.6566 AC), P-11K (.008 AC), P-11J(.4984 AC) SPRING CK UNITED METH CHURCH		31.02	6.79	22%	36.04%
28550 OLD FREDERICKSBURG RD	PO BOX 690070 SAN ANTONIO, TX 78269-0070	1062602	HICKS JERRY S & ESTHER W	CB 4707E BLK 4 LOT 1 EXCEPT S IRR 419.37 FT (DEVELOPMENT PLAT HICKS PROPERTY)	Subject Prop	Subject Prop	0%	0.00%	
OLD FREDERICKSBURG RD	PO BOX 690070 SAN ANTONIO, TX 78269-0070	1062603	HICKS JERRY S & ESTHER W	CB 4707E BLK 4 LOT N IRR 61.06 FT OF S IRR 419.37 FT OF 1 (DEVELOPMENT PLAT HICKS PROPERTY)		0.37	0.37	100%	1.95%
IH 10	16607 BLANCO RD STE 803 SAN ANTONIO, TX 78232-1941	1097427	SENATORS LLC	CB 4707E BLK 4 LOT 2 (FAIR OAKS VILLAGE)		0.75	0.54	72%	2.88%
9091 FAIR OAKS PARKWAY	1422 E GRAYSON ST STE 500 SAN ANTONIO, TX 78208-1428	1246984	T&J FAIR OAKS LLC	CB 4707E (FAIR OAKS VLG-LOT 4A-CB 4707 BLK 4), BLOCK 4 LOT 4A		3.21	0.39	12%	2.04%
9038 GATE FOREST	9038 GATE FRST BOERNE, TX 78015-4498	1252274	TERRY JERRY L & SANDRA M	CB 4709S (FRONT GATE UT-2A), LOT 224		0.35	0.24	68%	1.25%
9043 GATE FOREST	9043 GATE FOREST FAIR OAKS, TX 78015	1252275	RAMIREZ EDUARDO & RAMIREZ GRACIELA	CB 4709S (FRONT GATE UT-2A), LOT 225		0.56	0.56	100%	3.00%
9039 GATE FOREST	9039 GATE FOREST BOERNE, TX 78015	1252276	TORRES JOSE MARIO & MARTINEZ MARISSA	CB 4709S (FRONT GATE UT-2A), LOT 226		0.32	0.32	100%	1.68%
GATE FOREST	3424 PAESANOS PKWY STE 100 SAN ANTONIO, TX 78231-4412	1252287	SA FRONT GATE HOA	CB 4709S (FRONT GATE UT-2A), LOT 237 (GREEN BELT) (DUPLICATE TO PID: 1267483)		0.73	0.20	27%	1.04%
28703 STEVENSON GATE	28703 STEVENSON GATE FAIR OAKS RANCH, TX 78015-5098	1267483	BARNETT BRITTANY & CONNOR ROWE	CB 4709S (FRONT GATE UT-9), LOT 237 (DUPLICATE TO PID: 1252287)		0.27	0.27	100%	1.45%
28707 STEVENSON GATE	28707 STEVENSON GATE FAIR OAKS RANCH, TX 78015	1267484	DEEM ASHLEE	CB 4709S (FRONT GATE UT-9), LOT 238		0.18	0.18	100%	0.98%
28711 STEVENSON GATE	28711 STEVENSON GATE FAIR OAKS RANCH, TX 78015-5098	1267485	WINN RODNEY WAYNE & JANINE	CB 4709S (FRONT GATE UT-9), LOT 239		0.18	0.18	100%	0.98%
28715 STEVENSON GATE	28715 STEVENSON GATE FAIR OAKS RANCH, TX 78015-5098	1267486	JENNINGS AUSTIN STEVEN	CB 4709S (FRONT GATE UT-9), LOT 240		0.18	0.18	100%	0.98%
28719 STEVENSON GATE	28719 STEVENSON GATE FAIR OAKS RANCH, TX 78015-5098	1267487	FERNANDEZ ALYSSA MARIE & RANKIN MATTHEW CHARLES	CB 4709S (FRONT GATE UT-9), LOT 241		0.18	0.18	100%	0.98%
28723 STEVENSON GATE	28723 STEVENSON GATE FAIR OAKS RANCH, TX 78015-5098	1267488	PEDDY LINDA ANN & PEDDY GEORGE LUTHER	CB 4709S (FRONT GATE UT-9), LOT 242		0.18	0.18	100%	0.98%
STEVENSON GATE	11 LYNN BATTS LN STE 100 SAN ANTONIO, TX 78218-3077	1267489	SA FRONT GATE LLC	CB 4709S (FRONT GATE UT-9), LOT 243 (GREENBELT)		0.05	0.05	100%	0.26%
28803 STEVENSON GATE	28803 STEVENSON GATE FAIR OAKS RANCH, TX 78015-5099	1267490	BARONE JOSETTE L	CB 4709S (FRONT GATE UT-9), LOT 244		0.18	0.18	100%	0.98%
28807 STEVENSON GATE	28807 STEVENSON GATE FAIR OAKS RANCH, TX 78015-5099	1267491	FLORES DOLORES P	CB 4709S (FRONT GATE UT-9), LOT 245		0.18	0.18	100%	0.98%
28811 STEVENSON GATE	28811 STEVENSON GATE FAIR OAKS RANCH, TX 78015-5099	1267492	BOCK ADAM L & JENNIFER L	CB 4709S (FRONT GATE UT-9), LOT 246		0.18	0.15	84%	0.82%
28815 STEVENSON GATE	28815 STEVENSON GATE FAIR OAKS RANCH, TX 78015	1267493	SEALE SYLVIA A & FAZIO TERRI	CB 4709S (FRONT GATE UT-9), LOT 247	N	0.18	0.01	5%	0.04%
28804 STEVENSON GATE	28804 STEVENSON GATE FAIR OAKS RANCH, TX 78015	1267512	WILSON CATHERINE MARIE	CB 4709S (FRONT GATE UT-9), LOT 266		0.22	0.02	7%	0.08%
9034 POND GATE	9034 POND GATE FAIR OAKS RANCH, TX 78015-4786	1267526	PEREZ GIAN CARLO & ESTACIO JEMMABEL SIAPNO	CB 4709S (FRONT GATE UT-9), LOT 280		0.19	0.04	23%	0.23%
9035 QUAIL GATE	9035 QUAIL GATE FAIR OAKS RANCH, TX 78015-4797	1267527	CORONADO DANIEL F & ANA L NICHOLSON	CB 4709S (FRONT GATE UT-9), LOT 281		0.19	0.04	23%	0.23%
QUAIL GATE	11 LYNN BATTS LN STE 100 SAN ANTONIO, TX 78218-3077	1267539	SA FRONT GATE LLC	CB 4709S (FRONT GATE UT-9), LOT 293 (GREENBELT)		0.05	0.05	100%	0.26%
28603 BULL GATE	28603 BULL GATE FAIR OAKS RANCH, TX 78015	1321883	CASTILLO SARA LYNN & CARLOS MANUEL JR	CB 4709S (FRONTGATE UT-2B), LOT 426	N	0.56	0.45	80%	2.37%
28607 BULL GATE	5601 DEMOCRACY DR STE 300 PLANO, TX 75024-3674	1321884	HIGHLAND HOMES-SAN ANTONIO LLC	CB 4709S (FRONTGATE UT-2B), LOT 427	N	0.43	0.41	96%	2.17%
28611 BULL GATE	5601 DEMOCRACY DR STE 300 PLANO, TX 75024-3674	1321885	HIGHLAND HOMES-SAN ANTONIO LLC	CB 4709S (FRONTGATE UT-2B), LOT 428	N	0.36	0.36	100%	1.91%
28615 BULL GATE	28615 BULL GATE FAIR OAKS RANCH, TX 78015	1321886	HINOJOSA RUBEN ADRIAN & HINOJOSA MARIA TERESA GARZA	HINOJOSA RUBEN ADRIAN & HINOJOSA MARIA TERESA GARZA	N	0.32	0.32	100%	1.72%
28619 BULL GATE	5601 DEMOCRACY DR STE 300 PLANO, TX 75024-3674	1321887	HIGHLAND HOMES-SAN ANTONIO LLC	CB 4709S (FRONTGATE UT-2B), LOT 430		0.31	0.31	100%	1.67%
28623 BULL GATE	5601 DEMOCRACY DR STE 300 PLANO, TX 75024-3674	1321888	HIGHLAND HOMES-SAN ANTONIO LLC	CB 4709S (FRONTGATE UT-2B), LOT 431	N	0.31	0.31	100%	1.67%
28627 BULL GATE	28627 BULL GATE FAIR OAKS RANCH, TX 78015	1321889	ALCALA SERGIO ABRAHAM MORENO & ARMENDARIZ MARIA CRISTINA	CB 4709S (FRONTGATE UT-2B), LOT 432	N	0.31	0.31	100%	1.67%
28631 BULL GATE	5601 DEMOCRACY DR STE 300 PLANO, TX 75024-3674	1321890	HIGHLAND HOMES-SAN ANTONIO LLC	CB 4709S (FRONTGATE UT-2B), LOT 433	N	0.31	0.31	100%	1.67%
28635 BULL GATE	28632 BULL GATE FAIR OAKS RANCH, TX 78015	1321891	RODRIGUEZ PAUL D F & DEL CID ANA IRIS	CB 4709S (FRONTGATE UT-2B), LOT 434	N	0.32	0.32	100%	1.68%
28639 BULL GATE	28639 BULL GATE FAIR OAKS RANCH, TX 78015	1321892	ALMOMANI AHMED	CB 4709S (FRONTGATE UT-2B), LOT 435	N	0.31	0.31	100%	1.67%
28643 BULL GATE	5601 DEMOCRACY DR STE 300 PLANO, TX 75024-3674	1321893	HIGHLAND HOMES-SAN ANTONIO LLC	CB 4709S (FRONTGATE UT-2B), LOT 436		0.32	0.32	100%	1.68%
28647 BULL GATE	28647 BULL GATE FAIR OAKS RANCH, TX 78015	1321894	RUKAVINA CRAIG M & ANNA M	CB 4709S (FRONTGATE UT-2B), LOT 437	N	0.44	0.44	100%	2.33%
28651 BULL GATE	28651 BULL GATE FAIR OAKS RANCH, TX 78015	1321895	MORRIS SHAWN	CB 4709S (FRONTGATE UT-2B), LOT 438	N	0.39	0.39	100%	2.08%
28652 BULL GATE	28652 BULL GATE FAIR OAKS RANCH, TX 78015	1321896	JOHNSON RYAN MATTHEW & HERSCHELL LAURA MARIE	CB 4709S (FRONTGATE UT-2B), LOT 439		0.37	0.01	2%	0.03%
28656 BULL GATE	3424 PAESANOS PKWY STE 100 SAN ANTONIO, TX 78231-4412	1321909	SA FRONT GATE HOMEOWNERS ASSOCIATION INC	CB 4709S (FRONTGATE UT-2B), LOT 906 (GREENBELT)		2.23	0.40	18%	2.14%
BULL GATE	3424 PAESANOS PKWY STE 100 SAN ANTONIO, TX 78231-4412	1321910	SA FRONT GATE HOMEOWNERS ASSOCIATION INC	CB 4709S (FRONTGATE UT-2B), LOT 907 (PRIVATE STREET)		1.30	0.92	71%	4.88%
BULL RING	3424 PAESANOS PKWY STE 100 SAN ANTONIO, TX 78231-4412	1252286	SA FRONT GATE HOA	CB 4709S (FRONT GATE UT-2A), LOT 236 (PRIVATE STREET)		1.27	0.03	3%	0.18%
QUAIL GATE	11 LYNN BATTS LN STE 100 SAN ANTONIO, TX 78218-3077	1267538	SA FRONT GATE LLC	CB 4709S (FRONT GATE UT-9), LOT 292 (PVT STREET)		2.39	0.59	25%	3.11%
Total						18.80		100%	

For Rezoning 0  
Against Rezoning 12  
No Response 32



Attachment #6

# Property Owner Public Comment Form

(RETURN THIS FORM TO)

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

RE: Rezoning No. 2022-11-10

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\_\_\_\_\_ I am **FOR** the Rezoning request as explained on the attached public notice for Rezoning No. 2022-11-10

☒ I am **AGAINST** the Rezoning request as explained on the attached public notice for Rezoning No. 2022-11-10

(PLEASE PRINT)

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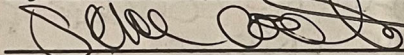
Name:

SARA CASTILLO

Address:

28603 BULL GATE FAIR OAKS RANCH, TX 78015

Signature:



Date:

01 NOV 2022

Comments:

WE OWNED A HOME IN THIS SAME NEIGHBORHOOD INSIDE FRONTGATE BUT SOLD IT TO BUILD ON THIS LARGER LOT WITH NO ONE BEHIND US ~~BY~~ 2 SALESMEN AND OUR BUILDING FOREMAN FOR HIGHLAND HOMES SAID "IT IS A GREENBELT THAT WILL NEVER BE BUILT ON." THEY SAID A WOMAN WHO IS AN AUTHOR OWNS IT AND THE DIRT ROAD BEHIND OUR LOT IS FOR HER WORKERS WHO LIVE THERE TO USE. WE PAID DOUBLE IN 2020 FOR THIS SIMILAR SQ. FT. HOME THAN WHAT WE PAID IN 2018 FOR THIS HOUSE ON THIS LOT. WE ARE SHOCKED THIS MAY BE RE-ZONED FROM RESIDENTIAL AND WORRY ABOUT SAFETY, MORE NOISE, NO PRIVACY, AND OUR INVESTMENT!



Attachment #6

PEOPLE THAT DON'T LIVE ON THE PROPERTY CAN WALK RIGHT UP TO OUR FENCE. IF IT'S A HOTEL AND/OR OFFICES, ANYONE WITHOUT A BACKGROUND CHECK HAVE ACCESS TO OUR YARDS, LET ALONE VIEWS DIRECTLY INTO OUR HOMES. THERE ARE NUMEROUS APARTMENT COMPLEX'S THAT JUST WENT UP, WHY ANOTHER? I ATTEND BOND MEETINGS AND BEFORE THE NUMEROUS APT. COMPLEX'S WENT UP, IT WAS ALREADY KNOWN THE ELEMENTARY SCHOOLS (BOTH VAN RAUB & FAIR OAKS RANCH) ARE OVERLOADED WITH STUDENTS AND ARE USING PORTABLES THAT ARE ONLY ALLOWED BY LAW FOR SHORT TERM USE - BUT HAVE BEEN USED MORE LONG TERM NOW. THERE WAS NO PLANS FOR MORE SCHOOLS IN THE BUDGET. I EVEN WENT TO NEIGHBORS, MANY WHO EITHER DO NOT HAVE CHILDREN OR HAVE GROWN CHILDREN TO EXPLAIN IF THEY VOTED YES FOR THE BISD BOND, THEIR TAXES WOULD NOT INCREASE. THIS CANNOT STAY THAT WAY WITH SUCH INCREASED NUMBERS IN THIS SMALL CITY AREA THOUGH.

A HOTEL POSES DIFFERENT ISSUES LIKE SAFETY, NOISE, OBSTRUCTING VIEWS, AND MORE. ANYONE WHO CAN PAY CAN CHECK INTO A HOTEL. HOW CAN WE LAY OUT IN THE SUN DURING THE MANY WARM/HOT SUMMER MONTHS AND FEEL COMFORTABLE LET ALONE SAFE? OUR KIDS PLAY IN THIS LARGE BACK YARD WE DREAMED OF AND PAID MORE THAN WE EVER DREAMED WE WOULD PAY FOR. WE WOULD NO LONGER FEEL SAFE WITHOUT STANDING THERE THE ENTIRE TIME. OPPOSITE OF WHY WE MOVED HERE. WE HAVE A BEAUTIFUL VIEW OF TREES, A FEW ROLLING HILLS, THE LARGE CROSS AT A CHURCH ACROSS THE HIGHWAY - IT'S WHAT WE DREAMED OF! THAT WOULD ALL CHANGE.

I PERSONALLY CHECKED OUR MAILBOX ON SATURDAY 30 OCT 2022 BUT THIS NOTICE WAS NOT PLACED IN MY MAILBOX UNTIL TUESDAY 9 NOV 2022. WHAT AN INCREDIBLE SHORT NOTICE! A WEEK BEFORE (SHORT, BUT DAY OF THAT IT'S DUE IS FISHY. ALSO, THE VERY LAST HOME ON OUR STREET JUST SOLD LAST WEEK I BELIEVE AND THEN THIS SUBJECT CAME UP FOR CHANGE. ALSO SUSPICIOUS AND IS UPSETTING TO DO HOMEOWNERS WHO SPENT THEIR LIFE SAVINGS ON THESE HOMES IN THE \$700-\$900K AND UP RANGE.



# Property Owner Public Comment Form

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

RECEIVED NOV 01 2022

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(PLEASE PRINT)

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Name:

Shane Mitchell and Daisy Mitchell

Address:

28607 Bull Gate, Fair Oaks Ranch, Tx 78015

Signature:

Daisy Mitchell

Date:

11/1/22

Comments:

We purchased our property because of the view and because it abutted a homestead and not a commercial property. Developing commercial enterprise would harm our use and enjoyment of our home as well as diminish potential property value and introduce the additional potential for property and other crimes as well as noise.

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(PLEASE PRINT)

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Name:

Terri Fario

Address:

28815 Stevenson Gate

Signature:

Terri Fario

Date:

11.1.2022

Comments:

Our appeal of Fair Oaks Ranch is that it is primarily a single family residential community.

The addition of hotels & apartments is certainly not an asset to Fair Oaks Ranch, but a liability.



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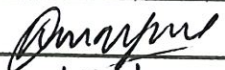
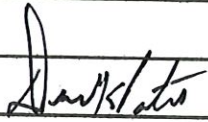
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Name: KUNAL AND DEEPA PATEL  
Address: 28623 BULL GATE  
Signature:    
Date: 11/01/2022

Comments:

Construction of property at and rezoning would result in, primarily elimination of a green zone and increased security and privacy concern. Potentially increases ones capability to watch and break in. Family with two kids, does not encourage this rezoning and will stand strictly against it. Hope the committee emphasises with our concerns and that our voice is heard.

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Name: Chad and Patricia Schneider  
Address: 28631 Bull Gate  
Signature: Chad and Patricia Schneider  
Date: November 1, 2022

Comments:

When we bought our lot, we were told  
it was private ~~property~~ and no chance of it  
being sold. We paid a premium for the view.  
This is a natural habitat that should be  
preserved. If this goes through a reduction in  
our property value, we will seek legal counsel  
for retribution for the difference in our property  
value.



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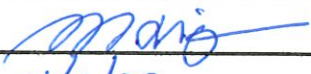
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Name: Ruben A & Maria Teresa Hingosa  
Address: 28615 Bull Ctr  
Signature:   
Date: 11/1/22

Comments:

We bought our home with understanding  
that this property was not for development.

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Name: CATHY & RON SHELLEY  
Address: 28628 BULL GATE  
Signature: Cathy Shelley Ron Shelley  
Date: 11-10-22

Comments: This comes as a complete surprise  
and will definitely change the atmosphere  
of our community. I think that the  
noise and increase in traffic is  
inevitable and will impact our street  
and quality of life - which is why we  
moved here less than 2 years ago.  
Please do not rezone this property.



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Name: Kristina and Robert Forshee  
Address: 28620 Bull Gate  
Signature: Kristi Forshee  
Date: 11/1/2022

**Comments:**

Rezoning of No. 2022-11-10 would be a disservice to nearby residence. Most of us recently (June 2022) bought our properties to be away from zoning like what is being proposed. Our home value will be affected. The overall noise will be a nuisance to all of the homeowners. We paid to live in this peaceful community. Please don't ruin it. We have enough mixed development being built right off I-10. We don't need another.

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Name: Anna Rukavina  
Address: 28647 Bull Gate, 78015  
Signature: A Rukavina  
Date: 11-1-22

Comments:

I am against the rezoning request  
2022-11-10. We bought our home in 2020  
and Highland Homes told us it would  
never be developed. We back to the  
property and property values will go  
down as would everyone on our  
side of the street.



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(PLEASE PRINT)

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Name: ERIC KARR Allison Karr  
Address: 7286 DIETZ ELKHORN  
Signature: [Signature] [Signature]  
Date: 11/1/2022

Comments:

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Name:

Maria Christina Armendariz

Address:

28627 Bull Gate, Fair Oaks Ranch, TX 78015

Signature:

*Maria Christina Armendariz*

Date:

Nov. 1, 2022

Comments:

Bought this house because of the view  
totally against on the rezoning.



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Name:

Fabian and Veronica Olmarfe

Address:

28506 Bull Gate

Signature:

Ulmarfe

Date:

11-1-2022

Comments:

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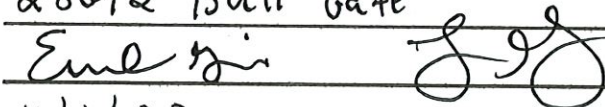
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X I am **AGAINST** the Rezoning request as explained on the attached public notice for Rezoning No. 2022-11-10

(PLEASE PRINT)

All comments forms **MUST** be returned prior to the City prior to November 2, 2022 in order to be in the packet.

Name: Emanuel & Alexianna Garcia  
Address: 28612 Bull Gate  
Signature:   
Date: 11/1/22

Comments:

No public comment form was ever sent to me and I live right across the street. We are against any development adjacent to the Front Gate Community. We will join and fight against all development. Development across the street from my house will cause a permanent nuisance.

# Property Owner Public Comment Form

(RETURN THIS FORM TO)

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

RE: Rezoning No. 2022-11-10

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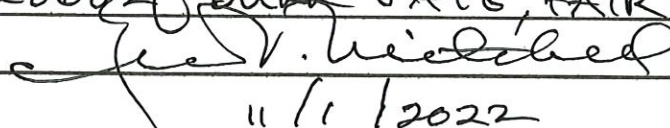
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(PLEASE PRINT)

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Name: ERIC V. MITCHELL  
Address: 28602 BULL GATE, FAIR OAKS RANCH 78015  
Signature:   
Date: 11/1/2022

Comments:

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(PLEASE PRINT)

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Name: Ahmed Almomani  
Address: 28639 Bullgate Fair Oaks Ranch  
Signature: Ahmed Almomani  
Date: 11/1/2022

Comments:

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KSchweitzer@fairoakranchtx.org

# Property Owner Public Comment Form

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(PLEASE PRINT)

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Name:

Dwayne Wilton

Address:

28640 Bull Gate Fair Oaks Ranch, TX 78015

Signature:

Dwayne Wilton

Date:

11/1/22

Comments:

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(PLEASE PRINT)

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Name:

Paul Rodriguez, Ana DelGid

Address:

28635 Bull Gate

Signature:



Date:

11/1/2022

Comments:

Our property value is going to reduce significantly this side of the neighborhood ~~was~~ is considered estate! and sold for a lot more to have Apartments, hotel or retail view. Our school will be overcrowded and crime rate will be higher in the so highly desire Fair Oaks Ranch.

# Property Owner Public Comment Form

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(PLEASE PRINT)

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Name: Maria Zamora  
Address: 28636 Bull Gate  
Signature: Maria Zamora  
Date: 11/1/2022

Comments:

High traffic and crime rates is our main concern  
we moved to Fair Oak ranch because of the  
beauty of the town and Ranch type living,  
only to be mined by more apartments or  
Hotels, this properties are close to 1M dollar houses  
to have apartments as neighbors.



# Property Owner Public Comment Form

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(PLEASE PRINT)

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Name: Shawn Morris  
Address: 28651 Bull Gate FOR, TX 78015  
Signature: Shawn T. H. Morris  
Date: November 1, 2022

Comments: See attached  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



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

November 1, 2022

Dear City of Fair Oaks,

This is in response to the letter received for the rezoning of :  
THE 16.697 ACRE TRACT OUT OF AND A PART OF THAT CERTAIN TRACT OR PARCEL OF LAND BEING ALL OF THE W.H. HUGHES SURVEY, ABSTRACT NUMBER 340, IN BEXAR COUNTY, TEXAS, AS CONVEYED TO JERRY S. HICKS AND ESTER W. HICKS BY DEED RECORDED IN DOCUMENT NO. 20030250078, AND AS CORRECTED IN DOCUMENT NO. 20040137669, OF THE PUBLIC RECORDS OF BEXAR COUNTY, TEXAS, AND ALL OF THAT CERTAIN 0.268 ACRE TRACT, CONVEYED TO FAIR OAKS VILLAGE BY DEED RECORDED IN DOCUMENT NO. 20090240205, OFFICIAL PUBLIC RECORDS, BEXAR COUNTY, TEXAS.

We received this letter yesterday and were only given until today to respond. We find this very alarming and raises many concerns with regards to this matter.

When the city of Fair Oaks Ranch was founded, the idea was a private residential community with low commercial presence. We purposely sought out this property for its views, privacy, safety and location. We understand the need for commercial properties that service our city, however, we believe those properties should be kept along the I-10 frontage. Properties that have been historically zoned for residential purposes should be kept as such. This helps protect our community as well as helps to preserve what makes Fair Oaks Ranch special.

As Fair Oaks Ranch citizens we are concerned with the impact this will have not only on our property values, but on our safety and well being. We would hope that the leaders of our city would take these concerns seriously and refuse the rezoning of this particular property.

Sincerely,

Shawn and Cheryl Morris  
28651 Bull Gate  
Fair Oaks Ranch, Texas 78015

# Property Owner Public Comment Form

Item #6.

Attachment #6

(RETURN THIS FORM TO)

City of Fair Oaks Ranch  
Engineering Department  
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Fair Oaks Ranch, Texas 78015

RE: Rezoning No. 2022-11-10

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  ✓   I am **AGAINST** the Rezoning request as explained on the attached public notice for Rezoning No. 2022-11-10

(PLEASE PRINT)

All comments forms **MUST** be returned prior to the City prior to November 2, 2022 in order to be in the packet.

Name:

Sovannarith Ngoun

Address:

28611 Bull Gate Fair Oaks Ranch, TX 78015

Signature:

[Signature]

Date:

11-01-22

Comments:

I'm absolutely against this rezoning request.

# Property Owner Public Comment Form

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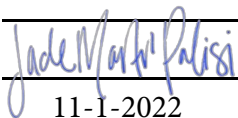
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(PLEASE PRINT)

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Name: Frank and Jade Palisi  
Address: 8910 Shady Pond, Fair Oaks Ranch, TX, 78015  
Signature:   
Date: 11-1-2022

Comments:

**That land abuts a residential neighborhood, and is across the street from the new apartment complex (which I am also against, because the traffic on Dietz Elkhorn is about to get tragic). I do not think this area is the right place for mixed use buildings. The roads in this section are already not great, and with the increased traffic from the apartment complexes already, our roads are going to fall apart and have to be replaced. Additionally, to support the traffic of a mixed use facility in that area we are going to have to expand the roads, and where is that money and time going to come from? This is a really bad idea. I think is going to backfire on our development of Fair Oaks. A lot of residents are already livid about the apartments, the mixed use facility will be worse. If you add the costs to maintain and widen the roads which will ultimately be required, plus the lost time caused by the congestion that area will experience (have y'all driven down that road around school pick up and drop off?), plus the time our city and council members are going to have to spend fielding complaints about traffic and noise and crime and bad roads and unsafe conditions for the children (there is an elementary school). I think this equals a loser and would heartily encourage you to vote against. Thank you.**



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Name: Nathan and Teresa Simonson  
Address: 28816 Stevenson Gate, FOR, TX 78015  
Signature: Teresa L. Simonson  
Date: 1 Nov 2022

Comments:

We do not support the Rezoning  
of Old Fredericksburg Rd as it will  
impact our quality of life and Property  
Value for a Residential Home.

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Name:

A. Jolkke A. Jolkke

Address:

28907 Stevenson Gate

Signature:

A. Jolkke

Date:

11/1/2022

Comments:

I did not receive any zoning request but was  
informed by a neighbor. I feel this will be a  
detriment to our neighborhood. Also it will  
bring down homeowner property values to have  
our backyards looking at commercial property.



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Name: Cathie Garcia  
Address: 28903 Stevenson Gate  
Signature: Cathie Garcia  
Date: 11/1/22

Comments: Please consider denying this rezoning request.  
It will do nothing but lower the property values of  
those in the Iron Gate neighborhood that are located  
on that side of the neighborhood. There are already  
apartments going up along the frontage road of I-10  
and apartments behind the neighborhood along Dietz Elkhorn.  
Things are changing too fast here and not for the  
better.