VIA TELECONFERENCE

CITY OF FAIR OAKS RANCH
AGENDA – PLANNING AND ZONING COMMISSION
Regular Meeting
January 14, 2021 at 6:30 PM
Via Teleconference
7286 Dietz Elkhorn, Fair Oaks Ranch

THERE EXISTS A PUBLIC HEALTH EMERGENCY RELATED TO THE COVID-19 VIRUS THAT NECESSITATES A MEETING OF THE PLANNING AND ZONING COMMISSION TO TAKE PLACE VIA TELEPHONE CONFERENCE PURSUANT TO GOVERNMENT CODE CHAPTER 551.127, AS MODIFIED BY EXECUTIVE ORDER OF THE GOVERNOR

Zoom Videoconference Link:  https://www.zoomgov.com/j/1613218853
Phone in number: US: +1 669 254 5252 or +1 646 828 7666 or 833 568 8864 (Toll Free)
Webinar ID: 161 321 8853

If you wish to address the Commission via telephone, please select *9 on your phone, this will place you in a queue for speaking. At the appropriate time, the City Secretary will call upon each individual separately. *6 will unmute your phone to allow you to speak.

I. OPEN MEETING
   A. Roll Call – Declaration of a Quorum

II. CITIZENS and GUEST FORUM / PRESENTATIONS
If you are calling by phone and wish to address the P&Z Commission, select *9 on your phone; this will place you in a queue for speaking. At the appropriate time the City Secretary will call upon each individual separately. Select *6 to unmute your phone to speak. 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.

   A. Citizens to be heard.

III. 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 with one motion. Items may be removed by any Commissioner by making such request prior to a motion and vote.

   A. Approval of the December 10, 2020 Joint Public Hearing Meeting Minutes Pgs. 3-4
   B. Approval of the December 10, 2020 Regular Meeting Minutes. Pgs. 5-6

IV. CONSIDERATION/DISCUSSION ITEMS
   A. Consideration and possible action recommending the approval of a final plat that establishes the Arbors at Fair Oaks Ranch Unit 2 proposing 47 single-family residential lots, generally located on the east side of Ralph Fair Road and north of Dietz-Elkhorn Road, City of Fair Oaks Ranch, Texas.
Katie Schweitzer, P.E., Manager of Engineering Services
Lata Krito possishnarao, AICP, LEED ND, Consultant, Gunda Corporation

B. Receive and discuss a general update regarding the anticipated Planning & Zoning Commission Program of Work, to possibly include future amendments to the Unified Development Code and informational updates to aspects of the master plan, and ongoing and future development activity.

Tobin Maples, AICP, City Manager

V. ADJOURNMENT

Signature of Agenda Approval: [Signature]

I, Christina Picciocci, City Secretary, certify that the above Notice of Meeting was posted on the outside bulletin board at the Fair Oaks Ranch City Hall, 7286 Dietz Elkhorn, Fair Oaks Ranch, Texas, and on the city’s website www.fairoaksranchtx.org, both places being convenient and readily accessible to the general public at all times. Said Notice was posted by 6:30 PM, January 11, 2021 and remained so posted continuously for at least 72 hours before said meeting was convened.
I. OPEN MEETING

Roll Call – Declaration of a Quorum

Council Present: Mayor Manitzas and Mayor Pro Tem Elizondo

Council Members: Havard, Hartpence, Koerner, Patel and Maxton

P&Z Present: Chairperson Trapasso and Vice Chairperson Barnes


With both quorums present, the Special Joint Workshop was called to order at 6:30 PM.

II. CITIZENS and GUEST FORUM / PRESENTATIONS

A. There were no citizens to be heard.

III. PURPOSE OF THE JOINT PUBLIC HEARING

A. The City Council and the Planning and Zoning Commission conducted a joint public hearing to receive public testimony on the replat request for Front Gate Unit 12 Lots 299-300; and Front Gate Unit 4 Lots 371-373, 407 and 903-904 (RP No. 2020-01).

1. The Mayor provided opening comments and opened the Public Hearing at 6:35 PM.

2. Consultant, Lata Krishnarao, provided a presentation on the replat request.

3. Paul Schroeder, of Vickrey & Associates, Inc., provided a presentation regarding the project and replat request.

4. Citizen comments:

   David Vance, 8922 Bullride, stated that he is in favor of the replat.

   John Park, 28926 Front Gate, purchased one of the homes that was affected and returned a letter in support of the replat.

   Lauren Barbier spoke against the replat as a resident who was under the impression this space was going to be green space/pocket park with trees. A replat was not successful in 2016 that would have affected her property. Ms. Barbier asked for the green space to be placed in a future area of the development and for the City to enforce this if possible.

5. The Mayor closed the joint public hearing at 6:59 PM.

6. Council and P&Z asked questions of the consultant relating to the requested replat.

7. The Public Hearing was adjourned with no formal action.
III. ADJOURNMENT

Mayor Manitzas adjourned the meeting at 7:17 PM.

___________________________________________
Frank Trapasso, Chairperson

ATTEST:

___________________________________________
Christina Picioccio, City Secretary
I. OPEN MEETING
   A. Roll Call

   Present: Chairperson Frank Trapasso and Vice-Chairperson Bobbe Barnes
            Commissioners: Bobby Balli, David Horwath, Douglas Leonard, Dale Pearson, and
                          Linda Tom

   With a quorum present, the meeting was called to order at 7:26 PM.

II. CITIZENS AND GUEST FORUM / PRESENTATIONS
   A. There were no citizens to be heard.

III. CONSENT AGENDA
   A. Approval of the October 8, 2020 Regular Meeting Minutes.

   MOTION: Made by Commissioner Tom, seconded by Commissioner Pearson to approve the
            minutes as written.

   VOTE: 7-0, Motion Passed

IV. WORKSHOP
   A. Lata Krishnarao, AICP, LEED ND, Consultant, Gunda Corporation, conducted a Planning & Zoning
      Commission Training/Workshop.

V. CONSIDERATION/DISCUSSION ITEMS
   A. Consideration and possible action recommending the approval of a replat request from SA
      Front Gate, LLC for Front Gate Unit 12, Lots 299-300; and Front Gate Unit 4, Lots 371-373,
      407 and 903-904, generally located south of Dietz Elkhorn Road and west of Van Raub
      Elementary School, City of Fair Oaks Ranch, Texas.

   MOTION: Made by Commissioner Leonard, seconded by Vice Chairperson Barnes to recommend
            approval of this replat for Front Gate unit 12 Lots 299-300; and Front Gate Unit 4 Lots
            371-373, 407 and 903-904 with the following conditions:
            • Applicant to correct the misspelling of Pfeiffers Gate on Sheet 1.
            • Applicant to verify that all modified lots are acknowledged in each Replat checklist
              item required.

   VOTE: 7-0; Motion Passed

   B. Consideration and possible action recommending the approval of a preliminary plat
      request from Elkhorn Ridge SA, LLC for Elkhorn Ridge Unit 6B proposing 22 single-family
      residential lots, generally located at the intersection of Dietz-Elkhorn and Elkhorn Ridge,
      City of Fair Oaks Ranch, Texas.
MOTION: Made by Commissioner Leonard, seconded by Commissioner Balitto to recommend approval of the preliminary plat establishing 22 single-family residential lots on 6.0 acres of land in Elkhorn Ridge Unit 6B with the following condition:

- Letters of approval from each utility provider as to the adequacy and proper location of utility easements must be provided prior to final plat application.

VOTE: 7-0; Motion Passed

C. Consideration and possible action recommending changes to the Planning & Zoning Commission Rules of Procedure.

MOTION: Made by Commissioner Trapasso to table the motion, there was no second and the motion died.

VI. ADJOURNMENT

Chairperson Frank Trapasso adjourned the meeting at 9:23 PM.

__________________________________________
Frank Trapasso, Chairperson

ATTEST:

__________________________________________
Christina Picioccio, City Secretary
AGENDA TOPIC: Consideration and possible action recommending the approval of a final plat that establishes the Arbors at Fair Oaks Ranch Unit 2 proposing 47 single-family residential lots, generally located on the east side of Ralph Fair Road and north of Dietz-Elkhorn Road, City of Fair Oaks Ranch, Texas

DATE: January 14, 2021
DEPARTMENT: Public Works and Engineering Services
PRESENTED BY: Katherine Schweitzer, P.E., Manager, Engineering Services
Lata Krishnarao, AICP, LEED ND, Community Planning Manager, Gunda Corporation

INTRODUCTION/BACKGROUND:

In June 2020, a Preliminary Plat, establishing the Preserve at Fair Oaks, was approved by the City. At this time, the applicant is seeking approval of the Final Plat.

This tract of land is contained in the approximately 145 acres generally referred to as the “Owen’s Tract”. In February 2016, a development agreement was signed by the City of Fair Oaks Ranch, David and Dianne Owens, and Scott Felder Homes for the approximately 145-acre tract. This subdivision was renamed as Arbors at Fair Oaks Ranch and more information on the proposed units can be found in the Summary Table below.

The development agreement contained a maximum of 91 residential lots and referred to the Concept Plan, shown below, for the location of lots and rights of way. The development agreement did not specify minimum lot sizes, but the Concept Plan showed lots that were generally 80’ wide and 140’ deep. The proposed lots conform to the size in the Concept Plan and range from 0.26 acres to 1.68 acres, with almost half of the lots being less than 0.3 acres.

The development agreement included stipulations regarding a 19-acre green buffer area for the residential lots, a 75-acre natural Preserve Area to be maintained by the Fair Oaks Ranch Homeowners Association (FORHA) with city access, 4,100 liner feet of 10-foot wide nature trails, roadway access to the nature trail with parking and related improvement. Most of these improvements have been undertaken.

Staff had reviewed the plat and relayed review comments to the applicant. Staff is working with the applicant to address outstanding comments and will provide an update at the meeting.
## Summary Table

<table>
<thead>
<tr>
<th>Arbors Unit</th>
<th>Phase in Concept Plan (shown below)</th>
<th>Approval Date</th>
<th>Total Area* (ac)</th>
<th>Residential Lots</th>
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<tr>
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<td>12/15/2016</td>
<td>24.20</td>
<td>44</td>
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<td>2</td>
<td>Phase 2 &amp; Phase 3 &amp; Portions of Development Buffer</td>
<td>Preliminary Plat Approved in 2020</td>
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<td>3</td>
<td>Preserve Area</td>
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<td>72.37</td>
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<tr>
<td>Total</td>
<td>-</td>
<td></td>
<td>140.13</td>
<td>91</td>
</tr>
</tbody>
</table>

*There may be minor discrepancy in total areas due to surveys prepared during platting, conveyance and dedication.

### Updated Original Concept Plan with Unit Status and Progress

[Image of updated concept plan with unit status and progress]
POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:
Article II, Section 5 of the City Subdivision Ordinance titled, Processing of Final Plat contains the following:

A. Staff Review.
City Staff will inspect the final Plat and the Plans and Specifications to verify that the submittal conforms to all of the requirements of this Ordinance. The Subdivider will be informed in writing by the City Administrator of any deficiencies. Prior to final plat approval, City staff shall furnish the Fair Oaks Ranch Public Works Department a report concerning utility and street construction plans, bonding requirements and filing fees. When the Public Works Department is satisfied that all conditions and requirements have been met, the Public Works Department shall recommend approval of the plat at their next scheduled meeting.

B. Recommendation by the Fair Oaks Ranch Public Works Department.
The Fair Oaks Ranch Public Works Department shall recommend that City Council approve or disapprove the final plat, plans and specifications within 30 days of the date on which a complete final plat submission is received by the City Administrator. The Public Works Department's recommendation of the final plat, plans and specifications shall not constitute final plat approval, but is the authorization to present the plat, plans and specifications to the City Council for final approval. If any major changes are required by the Public Works Department, the Public Works Department may require submission of another final plat.

C. Approval by the Fair Oaks Ranch City Council.
The Fair Oaks Ranch Public Works Department shall forward its recommendation for approval or disapproval to the City Council for action at its next scheduled meeting. Final plats shall be considered filed with the City Council (The Municipal Approving Authority) on the date that the agenda is posted for the meeting that City Council shall initially consider approval of the final plat.

D. Disapproved Plat.
Should the final plat as submitted fail to meet the conditions of this ordinance, the City Council shall disapprove the plat and note its disapproval in the minutes of the City Council meeting.

E. Plat Filing.
The Subdivider shall file/record with the appropriate County the approved final plat and provide the City with two reproducible, recorded tracings of the recorded plat within 10 days of the City Council meeting at which the final plat is approved.

Financial Guarantees:
Article II, Section 4 of the City Subdivision Ordinance titled, Processing of Final Plat requires financial guarantees “to insure that all of the required improvements in the subdivision are constructed in accordance with the approved Plans and Specifications, and to guarantee that the improvements are maintained to the satisfaction of the City in a good state of repair for the period of one year after approval and acceptance”. These guarantees include:

a. Construction Bond in an amount equal to the estimated cost of the utility, drainage, street improvements and erosion control by the subdivider. The subdivider is required to file this bond at least five working days prior to the consideration of the final plat by the City Council.
b. Maintenance Bond in an amount equal to ten percent (10%) of the amount of the Construction Bond. This bond is due prior to final acceptance of the subdivision improvements by the City to ensure that the owner will maintain, to the satisfaction of the City, all of the constructed improvements in a good state of repair for the period of one year from the date of acceptance by the city.

For subdivisions approved prior to the adoption of the Unified Development Code, City’s current platting procedures permit the applicant to obtain a final plat approval without submittal of a construction bond. However, the plat can be recorded only after the public improvements are constructed and accepted by the city.

**LONGTERM FINANCIAL & BUDGETARY IMPACT:**
N/A

**LEGAL ANALYSIS:**

Sec. 212.006 (a) of the Texas Local Government Code titled, Authority Responsible for Approval Generally, states the following:

“The municipal authority responsible for approving plats under this subchapter is the municipal planning commission or, if the municipality has no planning commission, the governing body of the municipality. The governing body by ordinance may require the approval of the governing body in addition to that of the municipal planning commission.”

The City of Fair Oaks Ranch’s current process requires the Planning and Zoning Commission to consider the plat application and make a recommendation to the City Council. The City Council has the final authority to act on the plat.

**RECOMMENDATION/PROPOSED MOTION:**

Staff has reviewed the revised plans and recommends approval of the plat with the following conditions:

1. Applicant to revise the final plat showing the original corner tie-in of the original survey of which said land is a part of.
2. Applicant to provide tax certificates showing all taxes owed to the state, county, School District, City, and/or any other political subdivisions have been paid in full to the date.
3. Applicant to deliver title report upon receipt.
4. Prior to recordation, the applicant will provide a letter of acceptance of public improvement by the City or fiscal surety for public improvement with detailed cost estimates of all subdivision improvements.
5. Applicant to correct 72.37 Acre Preserve Area Documentation Number to read "201803048606" on all sheets.

Motion: I move to recommend approval of the final plat of Arbors at Fair Oaks Ranch Unit 2 with the aforementioned conditions.
1. THE PROPERTY OWNER RETAINS THE RIGHT TO USE ALL OR ANY PART OF THE EASEMENT IN CONNECTION WITH THE SYSTEM, RESTORE THE PROPERTY TO THE CONDITION IN WHICH IT WAS RECEIVED, INSTALL STORM SEWER SYSTEMS, CULVERTS, WATER DISTRIBUTION AND SERVICE FACILITIES IN THE AREAS DESIGNATED ON THIS PLAT AS "ELECTRIC BOARD". THE OWNER OF LAND SHOWN ON THIS PLAT, IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, DEDICATES TO THE USE OF THE PUBLIC, EXCEPT AREAS IDENTIFIED WITHIN THE EASEMENT, THE OWNER’S RIGHTS TO PLACE TEMPORARY STRUCTURES FOR USE IN CONSTRUCTING OR REPAIRING THE SYSTEM, RESTORE THE PROPERTY TO THE CONDITION IN WHICH IT WAS RECEIVED, INSTALL STORM SEWER SYSTEMS, CULVERTS, WATER DISTRIBUTION AND SERVICE FACILITIES IN THE AREAS DESIGNATED ON THIS PLAT AS "ELECTRIC BOARD".

2. BEARINGS ARE BASED ON THE STATE PLANE COORDINATE SYSTEM OF THE STATE OF TEXAS. CHORDS AND CURVES WILL BE LOCATED TO THE NEAREST 10 FEET. DIRECTIONS WILL BE LOCATED TO THE NEAREST 5 DEGREES. DISTANCES WILL BE LOCATED TO THE NEAREST 10 FEET.

3. THE OWNER OF LAND SHOWN ON THIS PLAT, IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, DEDICATES TO THE USE OF THE PUBLIC, EXCEPT AREAS IDENTIFIED WITHIN THE EASEMENT, THE OWNER’S RIGHTS TO PLACE TEMPORARY STRUCTURES FOR USE IN CONSTRUCTING OR REPAIRING THE SYSTEM, RESTORE THE PROPERTY TO THE CONDITION IN WHICH IT WAS RECEIVED, INSTALL STORM SEWER SYSTEMS, CULVERTS, WATER DISTRIBUTION AND SERVICE FACILITIES IN THE AREAS DESIGNATED ON THIS PLAT AS "ELECTRIC BOARD".

4. THE COVENANTS, CONDITIONS, AND RESTRICTIONS FOR ARBORS AT FAIR OAKS RANCH ARE RECORDED IN DOC#2016049204 OFFICIAL PUBLIC RECORDS.

5. DEVELOPMENT AGREEMENT DATED 2/22/2016, DOC#201606008213 RECORDED ON 2/26/2016 IN THE COUNTY CLERK "OWNER OF LAND SHOWN ON THIS PLAT, IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, DEDICATES TO THE USE OF THE PUBLIC, EXCEPT AREAS IDENTIFIED WITHIN THE EASEMENT, THE OWNER’S RIGHTS TO PLACE TEMPORARY STRUCTURES FOR USE IN CONSTRUCTING OR REPAIRING THE SYSTEM, RESTORE THE PROPERTY TO THE CONDITION IN WHICH IT WAS RECEIVED, INSTALL STORM SEWER SYSTEMS, CULVERTS, WATER DISTRIBUTION AND SERVICE FACILITIES IN THE AREAS DESIGNATED ON THIS PLAT AS "ELECTRIC BOARD".

6. RESERVE 906, 907, 908, & 909 ARE DESIGNATED AS A DRAINAGE EASEMENT. RESERVE 910 IS DESIGNATED AS A LANDSCAPE, NON-VEHICULAR ACCESS, DRAINAGE, WATER, TELEPHONE, CABLE EASEMENTS OR ANY OTHER EASEMENTS FOR UTILITIES THEREOF, OR OTHER OBSTRUCTIONS WHICH ENDANGER OR MAY INTERFERE WITH THE EFFICIENCY OF THE DRAINAGE SYSTEM; THE RIGHT TO CREATE AND/OR DREDGE A STREAM, WASH, OR GULLY IN ITS NATURAL STATE OR AS CHANGED BY THE CITY.

7. RESERVE 909 IS DESIGNATED AS A LANDSCAPE, NON-VEHICULAR ACCESS, DRAINAGE, WATER, TELEPHONE, CABLE EASEMENTS OR ANY OTHER EASEMENTS FOR UTILITIES THEREOF, OR OTHER OBSTRUCTIONS WHICH ENDANGER OR MAY INTERFERE WITH THE EFFICIENCY OF THE DRAINAGE SYSTEM; THE RIGHT TO CREATE AND/OR DREDGE A STREAM, WASH, OR GULLY IN ITS NATURAL STATE OR AS CHANGED BY THE CITY.

8. ALL DEVELOPMENT, TREE REMOVAL, AND MITIGATION WILL CONFORM TO THE APPROVED TREE MITIGATION PLAN, DEDICATED TO THE USE OF THE PUBLIC, EXCEPT AREAS IDENTIFIED WITHIN THE EASEMENT, THE OWNER’S RIGHTS TO PLACE TEMPORARY STRUCTURES FOR USE IN CONSTRUCTING OR REPAIRING THE SYSTEM, RESTORE THE PROPERTY TO THE CONDITION IN WHICH IT WAS RECEIVED, INSTALL STORM SEWER SYSTEMS, CULVERTS, WATER DISTRIBUTION AND SERVICE FACILITIES IN THE AREAS DESIGNATED ON THIS PLAT AS "ELECTRIC BOARD".

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11. THE PROPERTY OWNER MAY PLACE TEMPORARY STRUCTURES FOR USE IN CONSTRUCTING OR REPAIRING THE SYSTEM, INSTALL STORM SEWER SYSTEMS, CULVERTS, WATER DISTRIBUTION AND SERVICE FACILITIES IN THE AREAS DESIGNATED ON THIS PLAT AS "ELECTRIC BOARD".

12. THE OWNER OF LAND SHOWN ON THIS PLAT, IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, DEDICATES TO THE USE OF THE PUBLIC, EXCEPT AREAS IDENTIFIED WITHIN THE EASEMENT, THE OWNER’S RIGHTS TO PLACE TEMPORARY STRUCTURES FOR USE IN CONSTRUCTING OR REPAIRING THE SYSTEM, RESTORE THE PROPERTY TO THE CONDITION IN WHICH IT WAS RECEIVED, INSTALL STORM SEWER SYSTEMS, CULVERTS, WATER DISTRIBUTION AND SERVICE FACILITIES IN THE AREAS DESIGNATED ON THIS PLAT AS "ELECTRIC BOARD".

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STATE OF TEXAS

I HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN WITH RESPECT TO THE DRAINAGE SYSTEM, IT IS EXPRESSLY AGREED AND UNDERSTOOD BY ALL TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER THE ADJACENT LAND TO OR FROM STREAM, WASH, OR GULLY IN ITS NATURAL STATE OR AS CHANGED BY THE CITY.

2. THE CITY SHALL MAKE COMMERCIALLY REASONABLE EFFORTS TO ENSURE THAT DAMAGE TO DRAINAGE, WATER DIVERSION, AND SANITARY CONTROL, INCLUDING WITHOUT LIMITATION, DRAINAGE EASEMENT LIABILITY WHATSOEVER FOR THE EFFECTS OF FLOOD, STANDING WATER, OR DRAINAGE ON OR OVER THE PROPERTY EASEMENT.

3. THE CITY SHALL BE KEPT CLEAR OF ALL STRUCTURES OR OTHER IMPROVEMENTS CHANGE THE SIZE THEREOF; THE RIGHT TO RELOCATE ALONG THE SAME GENERAL INSPECTING, PATROLLING, OPERATING, MAINTAINING, REPAIRING, AND REMOVING THE REASONABLY INTERFERE WITH THE EFFICIENCY OR OPERATION OF THE UTILITIES; AND THE ALL NECESSARY AND/OR DESIRABLE LINES, LATERALS AND/OR APPURTENANCES IN CONNECTION WITH THE SYSTEM, RESTORE THE PROPERTY TO THE CONDITION IN WHICH IT WAS IN THE DEED AND PLAT RECORDS OF BEXAR COUNTY.

4. CONCRETE DRIVEWAY APPROACHES AND STEPS ARE ALLOWED WITHIN THE FIVE (5) FOOT WIDE ARBORS AT FAIR OAKS RANCH HOMEOWNERS ASSOCIATION AND THEIR SUCCESSORS AND ASSIGNS.

NOTE: UNLESS THE CHANGES TO SUCH EASEMENTS ARE DESCRIBED BELOW:

GROUND ELEVATION ALTERATION.

EASEMENT SHALL BE THE DUTY AND RESPONSIBILITY OF THE PROPERTY OWNER.

TYPICAL BUILDING SETBACK

TYPICAL UTILITY EASEMENTS

FENCE NOTES:

PASSAGE OF ALL STORM AND DRAINAGE FLOWS WHEREVER FENCES CROSS DRAINAGE EASEMENTS.

IMPORTANT NOTES:

1. THE LOTS SHOWN ON THIS PLAT ARE SUBJECT TO ADDITIONAL EASEMENTS AND RESTRICTIONS AS STATED IN THE STATE OF TEXAS GOVERNMENT CODE, SECTION 2001.045 2. BEARINGS ARE BASED ON THE STATE PLANE COORDINATE SYSTEM SCALE FACTOR OF 1.00017.

IN TESTIMONY WHEREOF, WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE, THIS }

4. CONCRETE DRIVEWAY APPROACHES AND STEPS ARE ALLOWED WITHIN THE FIVE (5) FOOT WIDE ARBORS AT FAIR OAKS RANCH HOMEOWNERS ASSOCIATION AND THEIR SUCCESSORS AND ASSIGNS.

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IN TESTIMONY WHEREOF, WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE, THIS }

4. CONCRETE DRIVEWAY APPROACHES AND STEPS ARE ALLOWED WITHIN THE FIVE (5) FOOT WIDE ARBORS AT FAIR OAKS RANCH HOMEOWNERS ASSOCIATION AND THEIR SUCCESSORS AND ASSIGNS.
1. THE PROPERTY OWNER RETAINS THE RIGHT TO USE ALL OR ANY PART OF THE COUNTY OF BEXAR TO DRAINAGE, WATER DIVERSION, AND SANITARY CONTROL, INCLUDING WITHOUT LIMITATION, THE EFFICIENCY OF THE DRAINAGE SYSTEM; AND THE RIGHT TO PLACE TEMPORARY DRAINAGE ON OR TO THE PROPERTY, OR ANY OTHER PROPERTY OR PERSONS THAT MIGHT BE AFFECTED BY SAID STREAM, WASH, OR GULLY IN ITS NATURAL STATE OR AS ALTERED DURING THE CONSTRUCTION OR RECONSTRUCTION OF THE DRAINAGE SYSTEM.

2. THE CITY SHALL MAKE COMMERCIALLY REASONABLE EFFORTS TO ENSURE THAT THE UTILITIES WILL BE SERVED BY THE PROPERTY IN LINE WITH THE REQUIREMENTS OF THE SUBDIVISION ORDINANCE. THE UTILITIES MAY BE REQUIRED TO MAKE ACCESS TO THEIR MASTERS, MANSIONS, AND EDGE OF MASTERS EASEMENTS ON THE PROPERTY AND TO PROVIDE ACCESS TO YOUR ADJACENT LAND TO OR THROUGH THE PROPERTY TO SERVE THE PROPERTY.

3. THIS PLAT CONSISTS OF THE CITY OF FAIR OAKS RANCH AS PART OF ITS ELECTRIC AND GAS SYSTEM (CITY PUBLIC SERVICE CORPORATION).

4. EACH BUILDER WILL BE REQUIRED TO PLANT TWO TREES PER LOT WITH A CALIPER AT LEAST TWO AND ONE-HALF (2 1/2) INCHES (2 1/2") IN DIA. AT GROUND LEVEL. ADDITIONALLY, EACH BUILDER WILL BE REQUIRED TO PLANT A TOTAL OF TWO TREES PER LOT, ONE OF WHICH MUST BE A TREE FROM THE CITY OF FAIR OAKS RANCH TREES AND HOMES ASSOCIATION TREE PLANTING PROGRAM.

5. ROOF OVERHANGS ARE ALLOWED WITHIN FIVE (5) FOOT WIDE ELECTRIC AND GAS EASEMENTS WHEN LOTS ARE SERVED ONLY BY REAR LOT UNDERGROUND SERVICE EASEMENT.
PLANNING AND ZONING COMMISSION MEETING

Item I A: Arbors at Fair Oaks Ranch Unit 2 Final Plat

January 14, 2021 | 6:30 PM
Consideration and possible action recommending the approval of a final plat that establishes the Arbors at Fair Oaks Ranch Unit 2 proposing 47 single-family residential lots;

Generally located on the east side of Ralph Fair Road and north of Dietz-Elkhorn Road, City of Fair Oaks Ranch, Texas
• The applicant is requesting a final plat to establish:
  • 47 single-family residential lots.
  • a 19-acre green buffer area for the residential lots,
  • a 75-acre natural Preserve Area

• The proposed lots conform to the size in the Concept Plan and range from 0.26 acres to 1.68 acres, with almost half of the lots being less than 0.3 acres.
SITE LOCATION
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<tr>
<th>Arbors Unit</th>
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*There may be minor discrepancy in total areas due to surveys prepared during platting.*
Sec. 212.006 (a) of the Texas Local Government Code titled, Authority Responsible for Approval Generally, states the following:

- “The municipal authority responsible for approving plats under this subchapter is the municipal planning commission or, if the municipality has no planning commission, the governing body of the municipality. The governing body by ordinance may require the approval of the governing body in addition to that of the municipal planning commission.”

As described above, the City of Fair Oaks Ranch’s current process requires the Planning and Zoning Commission to consider the plat application and make a recommendation to the City Council.

- The City Council has the final authority to act on the plat.
Staff has reviewed the revised plans and recommends approval of the plat with the following conditions:

• Applicant to revise the final plat showing the original corner tie-in of the original survey of which said land is a part of.

• Applicant to provide tax certificates showing all taxes owed to the state, county, School District, City, and/or any other political subdivisions have been paid in full to the date.

• Applicant to deliver title report upon receipt.

• Prior to recordation, the applicant will provide a letter of acceptance of public improvement by the City or fiscal surety for public improvement with detailed cost estimates of all subdivision improvements.

• Applicant to correct 72.37 Acre Preserve Area Documentation Number to read "201803048606" on all sheets.
Motion: I move to recommend approval of the final plat of Arbors at Fair Oaks Ranch Unit 2 with the following conditions:

- Applicant to revise the final plat showing the original corner tie-in of the original survey of which said land is a part of.

- Applicant to provide tax certificates showing all taxes owed to the state, county, School District, City, and/or any other political subdivisions have been paid in full to the date.

- Applicant to deliver title report upon receipt.

- Prior to recordation, the applicant will provide a letter of acceptance of public improvement by the City or fiscal surety for public improvement with detailed cost estimates of all subdivision improvements.

- Applicant to correct 72.37 Acre Preserve Area Documentation Number to read "201803048606" on all sheets.
CONCLUSION

• Public Comments

• Q&A
AGENDA TOPIC: Receive and discuss a general update regarding the anticipated Planning & Zoning Commission Program of Work, to possibly include future amendments to the Unified Development Code and informational updates to aspects of the master plan, and ongoing and future development activity.

START DATE: January 14, 2021

DEPARTMENT: Administration

PRESENTED BY: Tobin E. Maples, AICP, City Manager

INTRODUCTION/BACKGROUND:
The purpose of this agenda item is to provide a general update regarding the anticipated Planning and Zoning Commission program of work. The City Manager will attend the meeting to lead the discussion and answer questions.

RECOMMENDATION/PROPOSED MOTION:
No formal action is requested at this time.