



## AGENDA ITEM SUMMARY

<b>Agenda Date</b>	April 7, 2025
<b>Requested Action</b>	A request for approval of the Final Plat for The Birch at Spencer Ranch Phase 3 generally located to the west of Spencer Road and north of State Highway 46
<b>Contact Person</b>	Sara Varvarigos, AICP, Planner II (830) 248-1630, <a href="mailto:svarvarigos@boerne-tx.gov">svarvarigos@boerne-tx.gov</a>
<b>Background Information</b>	<p><b>BACKGROUND:</b></p> <p>The property is owned by Forestar (USA) Real Estate Group, Inc. Josh Valenta, VP at MatkinHoover Engineering &amp; Surveying, is the applicant.</p> <p>The property was annexed into the City of Boerne on June 25<sup>th</sup>, 2024, and zoned R2-N Neighborhood Residential on March 11, 2025.</p> <p>P&amp;Z approved a Master Community Plan (Master Development Plan) for The Birch at Spencer Ranch on October 1<sup>st</sup>, 2018. The developer subsequently entered into a Development Agreement with the City of Boerne effective June 16<sup>th</sup>, 2021. This property also has four associated Major Subdivision Plats:</p> <ul style="list-style-type: none"><li>• Phase 1A – Final Plat Conditionally Approved by P&amp;Z April 4<sup>th</sup>, 2022 (Right of way for Spencer Ranch Blvd).</li><li>• Phase 1B – Final Plat Conditionally Approved by P&amp;Z April 4<sup>th</sup>, 2022 (59 residential lots).</li><li>• Phase 2 – Final Plat Conditionally Approved by P&amp;Z April 3<sup>rd</sup>, 2023 (72 residential lots).</li><li>• Phase 3 – Preliminary Plat Conditionally Approved by P&amp;Z on January 10<sup>th</sup>, 2022 (70 residential lots). Preliminary Plat approval was then extended by P&amp;Z on July 1<sup>st</sup>, 2024.</li></ul> <p>In 2018, a Traffic Impact Analysis (TIA) was completed for Spencer Ranch subdivision. This TIA required a portion of Spencer Ranch Blvd to be completed, and a right turn lane to be added on SH 46, where it intersects with Spencer Ranch Blvd.</p> <p>A future TIA will be completed as part of the development of commercial parcels located along SH 46, in proximity to the intersection of Spencer Ranch Blvd. Once the TIA is completed for these frontage parcels, the developer will add a traffic signal at the intersection of SH</p>

46 and Spencer Ranch Blvd, in addition to completing any additional required traffic mitigation measures. As part of the rezoning approval of Birch at Spencer Ranch, the City Council recommended that staff and the developer work with TXDOT regarding warning lights to be installed as interim traffic mitigation measure.

The Spencer Ranch development is vested to development regulations in effect as of October 1, 2018 (Vested rights determination file #VR2021-006, signed March 21, 2022).

**REQUEST:**

1. The Birch at Spencer Ranch Phase 3 Final Plat consists of 70 residential lots, 5 open space lots, and 3.36 acres of right-of-way, on a total of 22.65 acres. It has an overall gross density of 3.09 dwellings per acre.
2. The 5 open space lots consist of drainage and utility easements totaling 8.38 acres.
3. Sycamore Pond and Hazel Peak (local public streets) will provide primary access to the northern units. The southern units in this Phase will be served by Caledonian Pine and Mahogany Rapids (local public streets).
4. The City of Boerne will own and maintain all roads in the subdivision.
5. Water and sewer services will be provided by SJWTX INC, doing business as The Texas Water Company.

**ANALYSIS:**

*Development Master Plan & Zoning:*

- The City's Future Land Use Plan designates this property as Neighborhood residential. The final plat is consistent with the Comprehensive Plan.
- The Community Master Plan and the Development Agreement for The Birch at Spencer Ranch depict 209 total residential lots on 71.12 total acres, with 14.2 required acres of open space. Phase 3 is depicted with 74 total lots across 21.2 total acres, with 4.2 acres of open space.

	<ul style="list-style-type: none"><li>• The proposed final plat reduces the total number of residential lots to 70 and provides additional open space (8.38 acres).</li><li>• The zoning for the property is R2-N, which specifies a minimum lot size of 5,400 SF. The average lot size for Birch at Spencer Ranch Phase 3 is 6,768 SF. Twenty-one lots do not meet the minimum requirements of the R2-N Zoning District. These lots are considered legal non-conforming lots.</li></ul> <p><u>Landscaping and Open Space:</u></p> <ul style="list-style-type: none"><li>• The plat identifies 8.38 acres of open space, and 19 Heritage and Legacy trees. The open space corresponds to the drainage and utility easements listed in the next section.</li><li>• The owner has agreed to add a trail dedication easement adjacent to the creek corridors prior to recording the Final Plat.</li></ul> <p><u>Utilities, Drainage and Floodplain:</u></p> <ul style="list-style-type: none"><li>• Block 12 lot 909 (0.15 acres), Block 12 Lot 910 (1.81 acres), and Block 13 Lot 911 (2.65 acres), are open space/private drainage easements to service the northern units Block 7 Lot 913 (0.05 acres) and Block 8 lot 914 (3.72 acres) are open space/private drainage easements to service the southern units.</li><li>• Several proposed lots overlap with the 100-Year FEMA Floodplain; A Conditional Letter of Map Revision (CLOMR) was approved in 2020, and a Letter of Map Revision (LOMR) was approved in 2024. The applicant is currently awaiting secondary LOMR approval by FEMA. Since the floodplain is shown on lots less than 0.5 acres, the final plat cannot be recorded until the secondary LOMR is approved by FEMA.</li></ul> <p><b>FINDINGS:</b></p> <ul style="list-style-type: none"><li>• The Final Plat is consistent with the Comprehensive Master Plan.</li><li>• The Final Plat is consistent with the existing Development Agreement and Community Master Plan.</li><li>• The Final Plat is consistent with the applicable subdivision regulations.</li><li>• The Final Plat is consistent with the approved preliminary plat.</li></ul>
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	<p><b>RECOMMENDATION:</b></p> <p>Based on its alignment with the Comprehensive Master Plan; Development Agreement; and UDC Sec. 2-6; Staff recommends that the Planning and Zoning Commission <b>APPROVE</b> the Final Plat subject to the following stipulations:</p> <ol style="list-style-type: none"> <li>1. The recorded plat shall be in conformance with the final plat date stamped March 26, 2025 except as modified by these stipulations.</li> <li>2. The secondary Letter of Map Revision must be approved by FEMA prior to recordation of the Final Plat.</li> <li>3. The Final Plat must include a dedication for a trail easement to the City of Boerne, for a public trail within the open space area adjacent to the creeks, prior to recording the Final Plat.</li> <li>4. The applicant shall coordinate with the city staff to explore the possibility of installing warning signs/lights on Highway 46.</li> <li>5. The Final Plat shall not be recorded until all clerical corrections have been revised as determined by the Planning Director.</li> </ol> <p><b>MOTIONS FOR CONSIDERATION:</b></p> <p>The following motions are provided to assist the Commission’s decision.</p> <p>I move that the Planning and Zoning Commission accept the findings and <b>APPROVE</b> the proposed Final Plat subject to the five (5) stipulations recommended by staff.</p> <p>OR</p> <p>I move that the Planning and Zoning Commission <b>DENY</b> the proposed final plat based on the following findings: (The Commission will need to state the reasons for the denial. These reasons should reference specific regulations in the UDC.).</p>
<b>Strategic Alignment</b>	<p>C1 – Offering quality customer experiences</p> <p>C3 – Collaborating with community partners to enhance quality of life</p>
<b>Financial Considerations</b>	N/A

<b>Citizen Input/Board Review</b>	Public notice or hearing is not required for final plats.
<b>Legal Review</b>	This action is needed to meet statutory requirements.
<b>Alternative Options</b>	The Commission may approve, approve with conditions, extend the review, or disapprove the plat.
<b>Supporting Documents</b>	Attachment 1 – Aerial Map Attachment 2 – Future Land Use Map Attachment 3 – Environmental Constraints Map Attachment 4 – Master Plan Attachment 5 – Final Plat Attachment 6 – Preliminary Plat