### **AGENDA**

# SPECIAL CALLED PLANNING AND ZONING COMMISSION MEETING BOERNE CITY HALL

# RONALD C. BOWMAN CITY COUNCIL CHAMBERS

**447 North Main Street** 

Monday, September 9, 2024 – 6:00 p.m.

A quorum of the Planning and Zoning Commission will be present during the meeting at: 447 N. Main, Boerne, TX 78006

EXECUTIVE SESSION IN ACCORDANCE WITH THE TEXAS GOVERNMENT CODE: THE PLANNING AND ZONING COMMISSION MAY, AS PERMITTED BY LAW, ADJOURN INTO EXECUTIVE SESSION AT ANY TIME TO DISCUSS ANY MATTER LISTED BELOW AS AUTHORIZED BY TEXAS GOVERNMENT CODE §551.071 (CONSULTATION WITH ATTORNEY)

1. CALL TO ORDER - 6:00 PM

Pledge of Allegiance to the United States Flag
Pledge of Allegiance to the Texas Flag
(Honor the Texas flag, I pledge allegiance to thee, Texas – one state under God, one and indivisible.)

- 2. CONFLICTS OF INTEREST
- 3. PUBLIC COMMENTS: This is the opportunity for visitors and guests to address the Planning and Zoning Commission on any issue. The Planning and Zoning Commission may not discuss any presented issue, nor may any action be taken on any issue at this time. (Attorney General opinion JC-0169)
- 4. CONSENT AGENDA: All items listed below within the consent agenda are considered routine by the Planning and Zoning Commission and may be enacted with one motion. There will be no separate discussion of items unless there is a Commission member or citizen request, in which event the item may be moved to the general order of business and considered in its normal sequence

**4.A.** 2024-479 Consider approval of the minutes of the Planning and Zoning

Commission meeting of August 5, 2024.

**Attachments:** Official Meeting Minutes 24-0805

**4.B.** 2024-480 A request for final plat approval for 502 South School Street a

twelve-lot single family subdivision generally located at Hosack

and School Street.

Attachments: AIS - 502 South School Street - 20240909 Final

> Attachment 1 - Location Map Attachment 2 - Zoning View

Attachment 3 - Future Land Use Map

Attachment 4 - Board of Adjustment Application

Attachment 5 - Approval Preliminary Plat 502 S School 20211207

Attachment 6 - 502 S. School St. Final Plat

4.C. 2024-481 A request for final plat approval for Corley Farms Unit 4

> Subdivision a 127-lot single family subdivision generally located North Corley Road and west of Vallerie Lane. (Extra Territorial

Jurisdiction)

Attachments: AIS - Corley Farms U4 9.5.2024

Attachment 1 - Corley Farms U4 Vicinity Map

Attachment 2 - Corely Farms U4 Floodplains and DPZ Map

Attachment 3 - Corley Farms Master Plan (January 2024 Version)

Attachment 4 - Final Plat - Corley Farms Unit 4 9.5.2024

5. REGULAR AGENDA

Commission

5.A. Consider a request for a variance to Section 2.12.2, throat length, 2024-471

of the Engineering Design Manual for a property located at 612

River Road (KAD 26667).

Attachments: AIS - 612 River Throat Length Variance

> Variance Application 612 River Variance Exhibit 612 River

612 River Site Photos

5.B. 2024-473 Consider a request for a variance to Chapter 8.2, Drainageway

Protection Zones, of the Unified Development Code for a

property located at 612 River Road (KAD 26667).

Attachments: AIS - 612 River DPZ Variance

> Variance Application 612 River Variance Exhibit 612 River

612 River Site Photos

6. DISCUSSION ITEMS

- **6.A.** 2024-483 Short Term Rental Report
- 7. COMMENTS FROM COMMISSION/LEGAL COUNSEL/STAFF No discussion or action may take place
- 8. ADJOURNMENT

s/s Nathan Crane
Administrative Officer

# **CERTIFICATION**

I herby certify that the above notice of meeting was posted on the 5th day of September, 2024 at 6:00 p.m.

s/s Heather Wood
 Secretary

### NOTICE OF ASSISTANCE AT THE PUBLIC MEETINGS

The City Hall Complex is wheelchair accessible. Access to the building and special parking is available at the front entrance of the building. Requests for special services must be received forty-eight (48) hours prior to the meeting time by calling the Planning and Community Development Department at 830-248-1501.

Pursuant to Section 30.06 Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun.

Pursuant to section 30.07 Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly.

### **MINUTES**

# PLANNING AND ZONING COMMISSION MEETING BOERNE CITY HALL

# **RONALD C. BOWMAN CITY COUNCIL CHAMBERS**

# **447 North Main Street**

Monday, August 5, 2024 - 6:00 p.m.

Minutes of the Planning and Zoning Commission meeting of August 5 2024 at 6:00 p.m.

Present: 7 -Chairman Tim Bannwolf, Vice Chair Lucas Hiler, Bill Bird. Commissioner Commissioner Susan Friar, Commissioner Terry Lemoine, Commissioner Carlos Vecino, Commissioner Bob Cates

Staff Present: Mick McKamie, Kristy Stark, Barrett Squires, Heather Wood, Nathan Crane, Franci Linder, JoAnmarie Andrade, Jeff Carroll, Cheryl Rogers, Liz Huvalla, Ryan Bass, Andrew Wilkinson

Recognized and Registered Guests: Ben Adam, Josh Valenta, James McGarr

# 1. CALL TO ORDER

Chairman Bannwolf called the Planning and Zoning Commission to order at 6:00 p.m.

# 2. CONFLICTS OF INTEREST

No conflicts were declared.

# 3. PUBLIC COMMENTS

# 4. CONSENT AGENDA

A motion was made by Commissioner Hiler, seconded by Commissioner Friar, to approve the consent agenda as presented. The motion carried by the following vote:

Yea: 7 -Chairman Tim Bannwolf, Vice Chairman Commissioner Lucas Commissioner Hiler, Susan Friar, Commissioner Bill Bird, Commissioner Bob Cates, Commissioner Terry Lemoine, Commissioner Carlos Vecino

- **4.A.** 2024-406 Consider approval of the minutes of the Planning and Zoning Commission meeting of July 1, 2024.
- 5. REGULAR AGENDA
- 5.A. 2024-408 Consider a request for a variance to Chapter 8.2(A)(1),
  Drainageway Protection Zones, of the Unified Development Code
  for a property located at 119 Adler, 125 Adler, and 134 Garden
  (KAD 20010, 20009, and 20007).

Item was postponed by the applicant. No action taken.

5.B. 2024-409 Untable a request for a variance to Chapter 8.1(D)(3)(i)(i),
Floodplain Management, of the Unified Development Code for a
property located at 303 James St (KAD 19788)

motion made by Commissioner Hiler, seconded by Commissioner Bird, а to untable request for a variance to Chapter 8.1(D)(3)(i)(i), Floodplain Management, of the Unified Development Code for property located at 303 James St (KAD 19788). The motion carried by the following vote:

Yea: 7 -Chairman Tim Bannwolf. Vice Chairman Commissioner Lucas Hiler, Commissioner Susan Friar, Commissioner Bill Bird, Commissioner Bob Cates, Commissioner Terry Lemoine, Commissioner Carlos Vecino

5.C. 2024-407 Consider a request for a variance to Chapter 8.1(d)(3)(i)(i),
Floodplain Management, of the Unified Development Code for a
property located at 303 James St (KAD 19788).

Cheryl Rogers, Assistant City Engineer, presented the proposed variance request.

Chairman Bannwolf opened public comments for all agenda items at 6:11 p.m.

James McGarr, design engineer representing the property owner,

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commission presented photos to the of the proposed house that is intended to be built on the other lot as a second home/rental property for residential use.

**Official Meeting Minutes** 

architect representing the project, the explained that photos being presented are as a follow up to questions brought up at was last meeting where this project discussed, however. understand that is not a part of the variance. He additionally discussed the recent base flood elevation certificate done on this property which an elevation of 1395.8 and the elevation indicated of the building built in the 1930's is 1399.83 - 4.03 feet higher than the flood elevation; nowhere is the building 18 inches off of the ground. He suggested that there could be a mound under the house that the LiDAR did not detect when contour studies were done back in 2014/2019.

Chairman Bannwolf closed public comments at 6:15 p.m.

Commission discussion included the elevation differences brought uр by Ben Adam. the Federal Emergency Management Agency (FEMA) rating system, historical flooding in this area community of town, impervious cover and what hardships are being presented concerns with for the proposed variance request. The commission also discussed objective of restricting land parcels smaller than one acre from being into lots or habitable structures within the developed floodplain was primarily driven by public safety considerations.

Cheryl Rogers, Assistant City Engineer, explained that any FEMA-regulated situation an applicant can provide more precise data to demonstrate they are outside the floodplain and receive a letter of map amendment; this information could be reviewed to determine if the house is outside of the floodplain, however, in this case, the entire property would need to be located outside of the floodplain.

Jeff Carroll, Director of Engineering and Mobility, spoke to the history of city; he explained that there has not been a flooding in the 100 year flood event in recent years and that to his knowledge, there has

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been structural flooding in this area. He also explained that the city has adopted higher standards, going above the minimum state through the FEMA Community requirements. and Rating System (CRS) the city now has a Class 7 rating, which provides a 15% discount for all citizens who have flood insurance.

James McGarr stated that the hardship to the current owner was created when the previous owner sold part of a lot and did not sell the two whole lots together. If that would have been the case, they would only have to do an amending plat to move the lot line, and that would not require a variance. However, because they were sold in parts of lots, they must replat to move the lot line, which requires a variance.

Chairman Bannwolf allowed for public comments at 6:40 p.m.

No comments were received.

the intent of the Unified After weighing Development Code floodplain presented, rules, the public safety concerns, and the information the overall consensus of the commission was that the applicant not sufficient demonstrated a hardship or iustification to warrant granting the requested variance.

A motion by Commissioner Hiler, seconded by Commissioner was made Bird. to deny а request for а variance to Chapter 8.1(D)(3)(i)(i), Floodplain Management, of the Unified Development Code property located at 303 James St (KAD 19788). The motion carried by the following vote:

**Denied: 7** - Chairman Tim Bannwolf, Vice Chairman Commissioner Lucas Hiler, Commissioner Susan Friar, Commissioner Bill Bird, Commissioner Bob Cates, Commissioner Terry Lemoine, Commissioner Carlos Vecino

6. COMMENTS FROM COMMISSION/LEGAL COUNSEL/STAFF - No discussion or action may take place

Planning Technician, gave update on this year's Boerne Huvalla, an Neighborhood Discussion February Christian Brother's meetings; in discussed Automotive was later withdrawn by and the applicant, 101 Village Cove was also discussed and later approved. In March a church on East Blanco Road was discussed and later withdrawn by the applicant.

Chairman Bannwolf wished the Boerne Little League Baseball team success in their upcoming game that could advance them to the world series.

# 7. ADJOURNMENT

Chairman	Bannwolf	adjourned	the	Planning	and	Zoning	Commission	at
6:43 p.m.								

 Chairman
Secretary

Agenda Date	AGENDA ITEM SUMMARY  September 9, 2024
Tigoriau Dato	30ptem3e. 3, 202 .
Requested Action	A request for final plat approval for 502 S School St, a twelve-lot single family subdivision generally located at Hosack and School Street.
Contact Person	Sara Varvarigos, Planner II (830) 248-1630 <a href="mailto:svarvarigos@boerne-tx.gov">svarvarigos@boerne-tx.gov</a>
Background Information	<ul> <li>BACKGROUND:         <ul> <li>Applicant/Owner:</li></ul></li></ul>
	There are 2 open space lots located along the northern perimeter of Block 1, open space lots 5 (0.08 acres) and 6 (0.61 acres). These are designated for drainage and utility easements.

- Access to the subdivision will be provided from School St which is a primary collector and W Hosack St, a local neighborhood street that will extend into the subdivision. A 0.883 acre Right-Of-Way dedication has been included for the extension of W Hosack St, and a 0.034 acre Right-Of-Way dedication is included for S School St.
- Water and sewer services are provided by the City of Boerne.

### **ANALYSIS:**

# <u>Development Master Plan & Zoning:</u>

- The City's Future Land Use Map designates this property as Transitional Residential. The final plat is consistent with the Comprehensive Plan.
- This subdivision will extend W Hosack St, a city maintained local neighborhood street, and will be the only interior street.
- The proposed final plat is consistent with subdivision and zoning ordinances.

# **Landscaping and Open Space:**

• The 502 S School Street Final Plat includes 0.72 acres of open space, split between 2 lots.

# Utilities, Drainage and Floodplain:

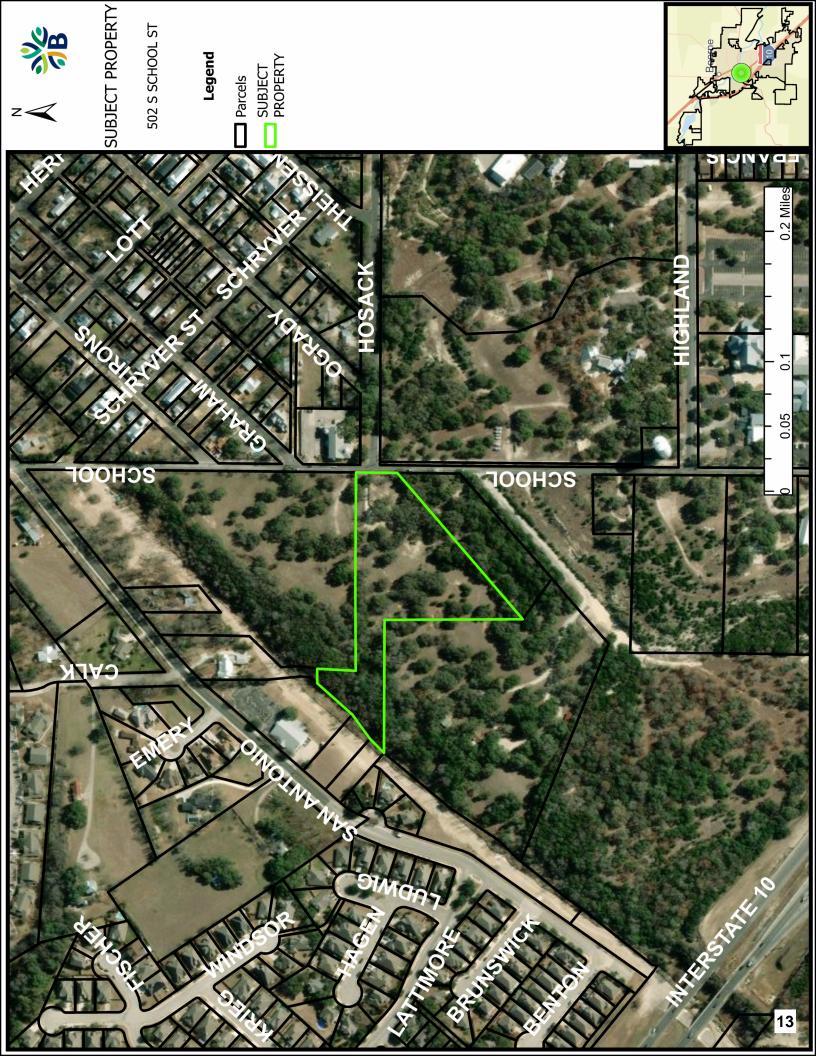
- This final plat contains approximately 0.851 acres of drainage easements (2 open space lots and 1 private drainage easement).
- None of the proposed residential lots overlap with the 100-Year FEMA Floodplain or SARA floodplain. Both cross over the eastern boundary of the property, however they do not affect any residential lots and intersects with an open space area.

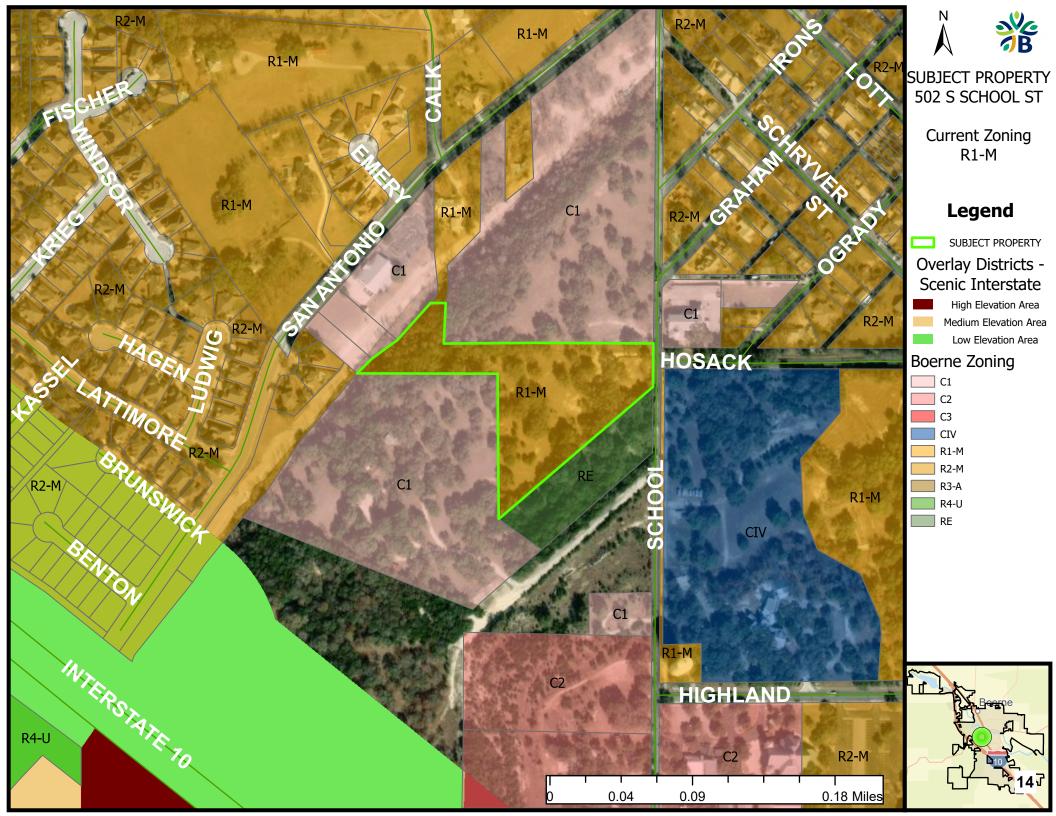
# **FINDINGS:**

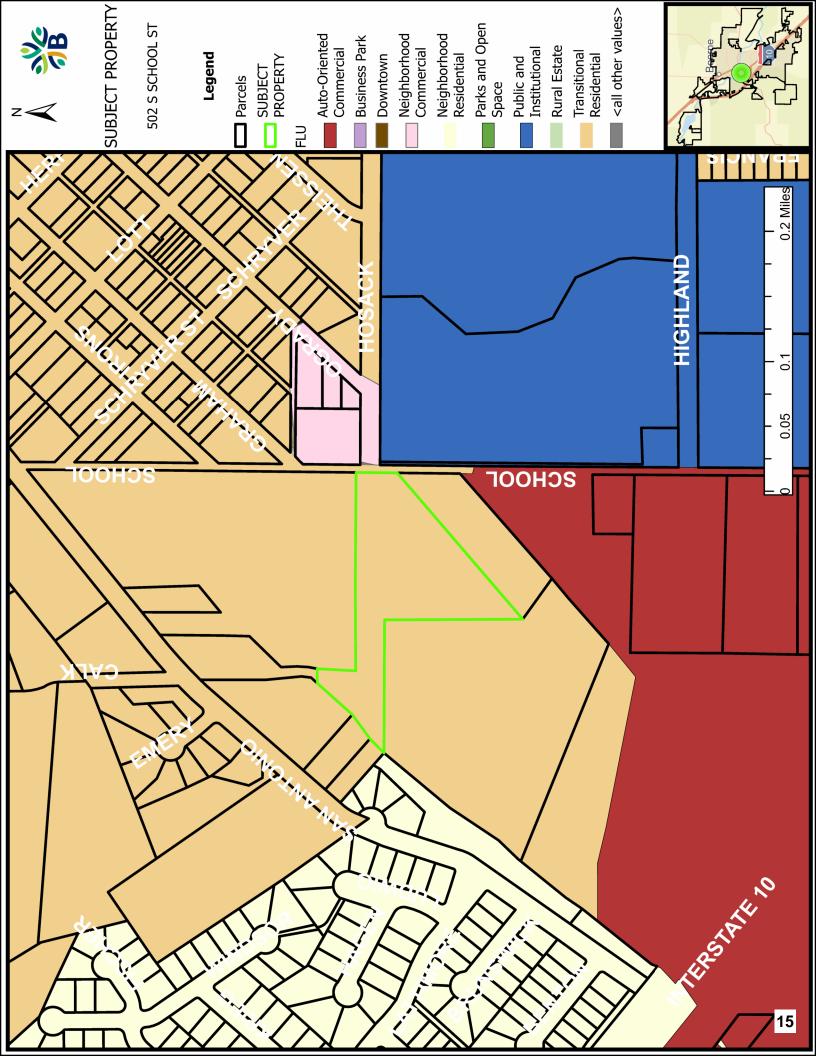
- The final plat is consistent with the Comprehensive Master Plan.
- The final plat is consistent with the Preliminary Plat.

	<ul> <li>The final plat is consister regulations.</li> </ul>	nt with the applicable subdivision			
	STAFF RECOMMENDATION:				
	Staff recommends approval of the following condition included:	502 S School St Final Plat with the			
	<ol> <li>The recorded plat shall subst stamped August 27, 2024.</li> </ol>	antially conform to the final plat date			
	MOTIONS FOR CONSIDERATION:				
	The following motions are provided	to assist the Commission's decision.			
	<ul> <li>I move that the Planning and Zoning Commission accept the findings and APPROVE the proposed final plat with the conditions recommended by staff.</li> </ul>				
	<ul> <li>I move that the Planning and Zoning Commission DENY 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.).</li> </ul>				
Item Justification	[X] Legal/Regulatory Obligation	[ ] Infrastructure Investment			
	[ ] Reduce Costs	[X] Customer Pull			
	[ ] Increase Revenue	[ ] Service Enhancement			
	[ ] Mitigate Risk	[ ] Process Efficiency			
	[ ] Master Plan Recommendation	[ ] Other:			
Strategic Alignment	C2 – Seeking customer-driven feedback. F2 – Investing in and maintaining high-quality infrastructure systems and public assets. B2 – Advancing master plan recommendations.				
Financial Considerations	N/A				
Citizen Input/Board Review	Public hearings and notifications are	e not required for this request.			

Legal Review	This action is needed to meet the statutory requirements.
Alternative Options	The Commission must approve, approve with conditions, extend the review, or disapprove the plat.
Supporting Documents	Attachment 1 – Location/Aerial Map Attachment 2 – Approved Variance Attachment 3 – Approved Preliminary Plat
	Attachment 4 – Proposed Final Plat









May 24, 2021

Board of Adjustment City of Boerne 447 N. Main St Boerne, TX 78006

Re: Variance request for 502 S. School St subdivision

Dear Board of Adjustment:

Imagine Built Homes, Ltd is seeking a variance to the Planning staff implied maximum lot area size relating to Article 5, Section 4, Table 5-2: Residential Lot and Dimension Standards for the Subdivision Plat establishing 502 S. School St. that was submitted for review. This is a proposed 12 lot residential subdivision seeking to create Standard Lots based on details listed in Table 5-2. During the plat review, Planning notified us that 7 of the 12 lots exceed .25 acres in area which they state is the maximum area allowed for a Standard Lot based on their interpretation of this table. However, the table only lists minimums for Area and Frontage which the proposed lots meet or exceed. Staff's interpretation and application are that the next larger lot creates a maximum area that the narrower lot cannot exceed. In this case, the Low-Density Lot has a minimum area of ¼ acre and a minimum width of 80'. Therefore, under this application, we would be either required to increase the lot widths to 80' minimum or reduce the area to be less than .25 acres.

The residential homes are planned to have detached garages. The additional depth allows these garages to be set behind the home off the front elevation and maintain a usable backyard. This exceeds the City of Boerne intent to remove garages from the fronts of homes that was added with the October 2019 requirement that garages be setback at least 25' from the front property line. The lots proposed are comparable and compatible to the existing lots in the Flats area east of School St from this property and the homes will be consistent with the new homes being built in this area. Furthermore, it was noted that the new UDC would allow the subdivision as proposed to be approved by right. This is based on an additional line being added to the corresponding table in the new UDC that is labeled, "Maximum Lot Area", although, it simply states N/A for all lot types.

For these reasons and the information on the attached application, we ask the Board of Adjustment to issue a variance to staff interpretation of a maximum area and allow this subdivision plat to be approved as planned now without waiting for the new UDC to be adopted in July.

Sincerely,

John Friesenhahn

# CITY OF BOERNE **BOARD OF ADJUSTMENT & APPEALS APPLICATION**

Address of affected property: 502 S School St
Lot: A10310 - SURVEY 178 A LOCKMAR 4.771 ACRES Block: Addition:
Property owner(s): Imagine Built Homes, Ltd Phone No.: (210) 889-7822
Property owner mailing address: 11467 Huebner Rd, Suite 225, San Antonio, TX 78230
Applicant: John Friesenhahn Phone No.: (210) 889-7822 (If different than Owner)
Applicant mailing address:
Owner(s) is(are) giving John Friesenhahn authority to represent him/her at the hearing.  (Applicant)
Owner Signature Date Owner Signature Date
Request is for () Appeal (X) Variance () Special Exception  Request is regarding (select one)  _X Zoning Ordinance (Article 5, Section 04, Table 5-2)  Building Code (Code, Section)  Other
Describe request: Staff interpretation of Article 5, Section 4, Table 5-2: Lot and Dimension Standards limits Standard Lot with minimum 65' frontage to a maximum of .25 acre area. This makes 7 lots of the proposed subdivision with too much area. Table 5-2 lists minimums, but no maximum size, however, staff application is that a lot category cannot exceed the minimum lot area for the next larger lot. The new UDC would allow the subdivision as designed.
I hereby certify that the statements made in this application are true and correct and request this submission be reviewed by the Board of Adjustment for a ruling.
Applicant's Signature  Page 1

Page 1

# CITY OF BOERNE BOARD OF ADJUSTMENT & APPEALS APPLICATION (Continued)

In order to make a finding of hardship and to grant a variance, the Board of Adjustment must determine that a preponderance of the following conditions are met. State how your request meets these conditions. Please note that the stated hardship shall not be financial or self-induced.

1. A literal enforcement of the provisions of this ordinance will result in unnecessary hardship.

Article 5, Section 04, Table 5-2: Lot and Dimension Standards shows a minimum lot size and no maximum lot area for the Standard Lot so a literal enforcement of staff's interpretation and application would require a lot with a smaller area creating a denser subdivision. The new UDC will allow the subdivision as planned by right once adopted. This would also limit the ability to place a detached garage behind the home and maintain a usable backyard area.

2. Such variance will not authorize the operation of a <u>use</u> other than one which is specifically authorized for the <u>district</u> in which the subject property is located.

Single family residential is allowed in the current zoning district and it is the intended use. The variance will not change the proposed use of the property, just the maximum lot size area staff is imposing on a Standard Lot.

3. The plight of the <u>owner</u> of the property for which the variance is sought is due to unique circumstances existing on the property, and the unique circumstances are not created by the <u>owner</u> of the property, and are not due to or the result of general conditions in the <u>district</u> in which the property is located.

The shape of the property and requirement to align the extension of Hosack St across School St into this property make a single street with residential lots fronting on both sides of the street the best layout. Due to the pie shape of the property, it widens towards the rear making these lots deeper which increases the area above the staff imposed maximum lot size for a Standard Lot at 65' minimum width.

4. The variance will not substantially weaken the general purposes of this ordinance or the regulations herein established for the specific <u>district</u>.

The desired lot width is comparable with the residential lots in the Flats area east of School St. Furthermore, the new UDC that is scheduled to be adopted in July 2021 will allow the proposed subdivision as planned by right so granting this variance will not weaken the general purpose of the ordinance. The lot area also allows the placement of detached garages to the rear of the home meeting the desired intent of the City of Boerne to remove garages from the fronts of homes thus enhancing the street scene.

5. The variance will not adversely affect the public health, safety, or welfare.

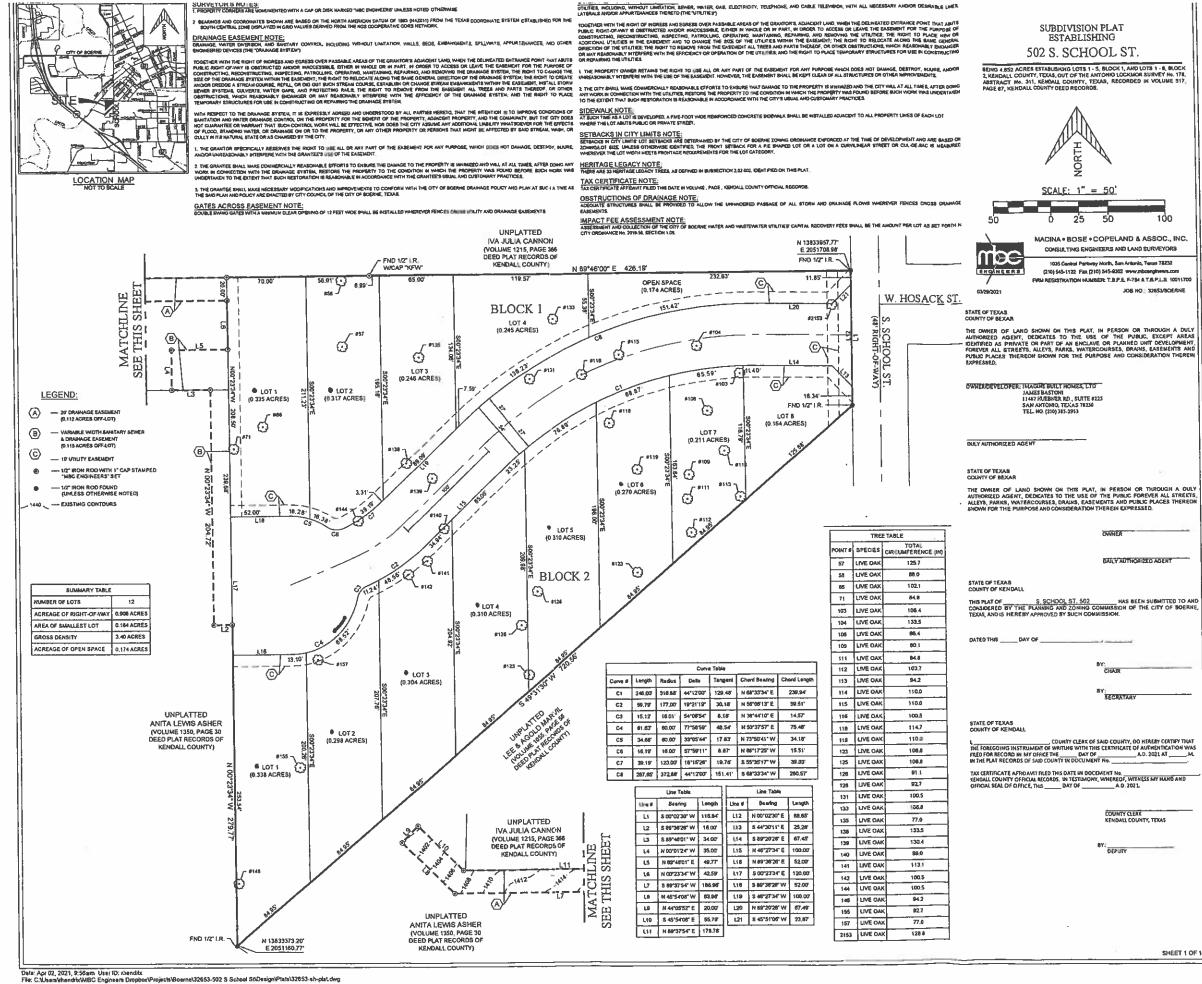
Public health, safety and welfare will not be adversely affected by granting this variance to allow 7 of 12 proposed lots to exceed .25 acre staff imposed maximum lot size. The proposed subdivision will have less density than current zoning code would allow and as stated previously, the new UDC would allow the proposed subdivision by right.

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SOLUTION COLUMN		DIMENSION STANDAR						THE RESERVED TO SELECT		1/2	A	TTACHED DWELLING LOTS	
/ DWELLIN	G TYPE ➤				DETAC	HED DWELLING LOTS						37.14.56.56	7
DIMENSION	n Standard	RURAL LOT	LARGE LOT	MANORLOT	ESTATE	LOW-DENSITY LOT	STANDARD LOT	NEIGHBORHOOD LOT	SMALL LOT	DUPLEX LOT	ATTACHED	Multi-Dwelling	Mixed-Use
SIZE	AREA	10 acres (435,600 sqft.)	2 acres (87,120 sqft.)	1 acre (43,560 sqft.)	½ acre (21,780 sqft.)	1/4 acre (10,890 sqft.)	7,800 sqft.	5,400 sqft.	4,000 sqft.	3,500 sqft.	2,000 saft.	6,000 sqft. for first two units, plus 1,200 sqft. for each additional unit.	
MINIMUM LO	FRONTAGE	300'	200'	150'	100'	80'	65'	50' 60' on corner lots	40' 50' on corner lots	35' 45' on corner lots	20' 25' on end lots	50' 60' on corner lots	
	FRONT - CURVILINEAR SYSTEM[a]	80'	50'	50'	40'	30'	20' [a]	20' [a]	20' [a]	15' – 30' [a]	0' -20' [a]	15' ~ 30'	≥
sign options may be nd Zoning Commission 3.07.001)	FRONT - GRID SYSTEM[a]	80,	50'	50'	40'	30'	20' [a]	20' [a]	20' [a]	15' – 30' [a]	0' -20' [a]	15' – 30'	
2 8 G	GARAGE FRONT SETBACK	GARAGE FRONTS THAT FACE THE STREET SHALL BE SETBACK A MINIMUM OF 25 FEET FROM THE PROPERTY LINE. REFER TO SECTION 3.07.003 A AND C FOR ORIENTATION AND DESIGN STANDARDS (Ord. No. 2012-04, §5,4-24-2012)											
alternative de the Planning ( see Section	MINIMUM 1 SIDE / MINIMUM COMBINED	50'/ 100'	20' / 40'	20' / 40'	15' / 30'	10' / 20'	5' / 10' 10' additional street side of corner lots	5' / 10' 10' additional street side of corner lots	3' [b] / 10' 10' additional street side of corner lots	0' [c] • 5' end lots • 15' corner lots	0' [c]     5' end lots     15' corner lots	5' 15' corner structures	Lots for Mixed-use dwelling are based on the lot standa listed for each specific zonin district in which they are
* Creative a approved by th	BOTH SIDES  MINIMUM REAR / MINIMUM COMBINED FRONT AND REAR	150°	50'	50'	25'	25'	20' / 40' [e]	20' / 40' [e]	20' / 40' [e]	20' / 50' [e]	15' / 35' [e]	20' / 50' [e]	enabled.
iKS GRY)	FRONT	Behind front building line	5' behind rear building line	5' behind rear building line	5' behind rear building line	5' behind rear building line	5' behind rear building line	5' behind rear building line	5' behind rear building line	10' behind rear building line	10' behind rear building line		
BUILDING SETBACKS (DETACHED ACCESSOR)	SIDE	50'	10' 25' on the street side of corner lots	10' 25' on the street side of corner lots	10' 25' on the street side of corner lots	10' 25' on the street side of corner lots	5' 25' on the street side of comer lots	5' 0' if party wail [d] 25' on the street side of corner lots	5' 0' if party wall [d] 25' on the street side of corner lots	5' 0' if party wall [d] 25' on the street side of corner lots	5' 0' if party wall [d] 25' on the street side of corner lots	n/a	
- €	REAR	50'	10'	10' //	10'	5'	5'	5'	5'	5', unless alley loaded	5', unless alley loaded		
Max. E	BUILDING HEIGHT PRINCIPAL)	2.5 story, up to 36'	2.5 story, up to 36'	2.5 story, up to 36'	2.5 story, up to 36'	2.5 story, up to 36'	2.5 story, up to 32'	2.5 story, up to 32'	2.5 story, up to 32'	2.5 story, up to 32'	3 story, up to 38'	4 story, up to 50'	
Max. E	BUILDING HEIGHT occessory) [d]	2 story, up to 20' 50' for Agriculture accessory building	2 story, up to 20'	2 story, up to 20'	2 story, up to 20'	2 story, up to 20'	2 story, up to 20'	2 story, up to 20'	2 story, up to 20'	2 story, up to 20'	2 story, up to 20'	n/a	

See Notes below





P.O. Box 1677 • 447 N. Main Boerne, Texas 78006

December 7, 2021

Daniel Espinosa MBC Engineers 1035 Central Parkway North San Antonio, Texas 78232

Mr. Espinosa:

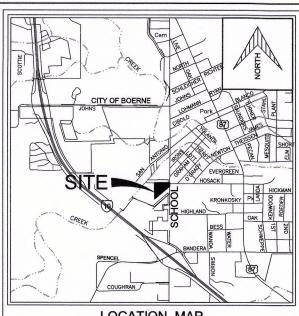
MBC Engineers submitted a response on November 22<sup>nd</sup> to the City of Boerne regarding the Planning & Zoning Commission conditional approval of 502 S School St Preliminary Plat. Finding that the conditions for approval have been met, the City of Boerne certifies that 502 S School St Preliminary Plat is approved.

Regards,

Laura Haning

Director, Planning and Community Development

CC: John Friesenhahn, Imagine Homes Richard Hendrix, MBC Engineers



LOCATION MAP

# LEGEND:

---- 10' UTILITY EASEMENT

---- 12' RIGHT-OF-WAY DEDICATION TO THE CITY OF BOERNE (0.034 ACRES)

---- 15' X 208.50' PRIVATE DRAINAGE EASEMENT (0.082 ACRES)

---- 29' PRIVATE DRAINAGE EASEMENT (0.213 ACRES)

---- 16' UTILITY EASEMENT (0.078 ACRES) (OFF-LOT)

---- UNPLATTED: SORACE PROPERTIES, LLC (VOLUME 1215, PAGE 366 DEED PLAT RECORDS OF KENDALL COUNTY!

---- 1/2" IRON ROD WITH 1" CAP STAMPED "MBC ENGINEERS" SET

---- 1/2" IRON ROD FOUND (UNLESS OTHERWISE NOTED)

\_ 1440 . --- EXISTING CONTOURS

---- LIMITS OF LOT DOC.# 2021-352266

---- AREA OF STEEP SLOPE (15% OR GREATER)

SUMMARY TABLE	
NUMBER OF RESIDENTIAL LOTS	12
NUMBER OF OPEN SPACE LOTS	2
ACREAGE OF RIGHT-OF-WAY	0.883 ACRES
AREA OF SMALLEST LOT	0.185 ACRES
GROSS DENSITY (HOMES/ACRE)	2.5
ACREAGE OF OPEN SPACE	0.488 ACRES

BLOCK PER	IMETER LENGTH
BLOCK	PERIMETER (FT)
1	1,412'
2	1,699'

STATE OF TEXAS

JOFI CHRISTIAN JOHNSON

5578

NESS!

300

DAVID I. ALLEN

66073

I HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE ON THE GROUND UNDER MY SUPERVISION.

JOEL CHRISTIAN JOHNSON, R.P.L.S. NO. 5578

SWORN TO AND SUBSCRIBED BEFORE ME, THIS A.D. 2021

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

STATE OF TEXAS COUNTY OF BEXAR

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

LICENSED PROFESSIONAL ENGINEER NO. 66073

SWORN TO AND SUBSCRIBED BEFORE ME, THIS \_\_\_\_ \_A.D. 2021.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

SURVEYOR'S NOTES

RNERS ARE MONUMENTED WITH A CAP OR DISK MARKED "MBC ENGINEERS" UNLESS NOTED OTHERWISE

2. BEARINGS AND COORDINATES SHOWN ARE BASED ON THE NORTH AMERICAN DATUM OF 1983 (NAZO11) FROM THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE DISPLAYED IN GRID VALUES DERIVED FROM THE NGS COOPERATIVE CORS NETWOR

RAINAGE EASEMENT NOTE: ENGINEERED DEVICES (THE "DRAINAGE SYSTEM")

TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER PASSABLE AREAS OF THE GRANTOR'S ADJACENT LAND, WHEN THE DELINEATED ENTRANCE POINT THAT ABJITS PUBLIC RIGHT-OF-WAY IS OBSTRUCTED AND/OR INACCESSIBLE, EITHER IN WHOLE OR IN PART, IN ORDER TO ACCESS OR LEAVE THE EASEMENT FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, OPERATING, MAINTAINING, REPAIRING, AND REMOVING THE DRAINAGE SYSTEM; THE RIGHT TO CHANGE THE SIZE OF THE DRAINAGE SYSTEM WITHIN THE EASEMENT; THE RIGHT TO RELOCATE ALONG THE SAME GENERAL DIRECTION OF THE DRAINAGE SYSTEM; THE RIGHT TO CREATE AND/OR DREDGE A STREAM COURSE, REFILL, OR DIG OUT SUCH STREAM COURSE, ESTABLISH OR CHANGE STREAM EMBANKMENTS WITHIN THE EASEMENT; INSTALL STORM SEWER SYSTEMS, CULVERTS, WATER GAPS, AND PROTECTING RAILS; THE RIGHT TO REMOVE FROM THE EASEMENT ALL TIMES, AFTER DOING FEMPORARY STRUCTURES FOR USE IN CONSTRUCTING OR REPAIRING THE DRAINAGE SYSTEM.

WITH RESPECT TO THE DRAINAGE SYSTEM, IT IS EXPRESSLY AGREED AND UNDERSTOOD BY ALL PARTIES HERETO, THAT THE INTENTION IS TO IMPROVE CONDITIONS OF SANITATION AND WATER DRAINAGE CONTROL ON THE PROPERTY FOR THE BENEFIT OF THE PROPERTY, AND THE COMMUNITY, BUT THE CITY DOSS NOT GUARANTEE OR WARRANT THAT SUCH CONTROL WORK WILL BE EFFECTIVE, NOR DOES THE CITY ASSUME ANY ADDITIONAL LIABILITY WHATSOEVER FOR THE EFFECTS.

SIDEWALK NOTE:

AT SUCH TIME AS A LOT IS DEVELOPED, A FIVE-FOOT WIDE REINFORCED CONCRETE SIDEWALK SHALL BE INSTALLED ADJACENT TO ALL PROPERTY LINES OF EACH LOT WHATSOEVER FOR THE LOT ABUTS PUBLIC OR PRIVATE STREET. OF FLOOD, STANDING WATER, OR DRAINAGE ON OR TO THE PROPERTY, OR ANY OTHER PROPERTY OR PERSONS THAT MIGHT BE AFFECTED BY SAID STREAM, WASH, OR

1. THE GRANTOR SPECIFICALLY RESERVES THE RIGHT TO USE ALL OR ANY PART OF THE EASEMENT FOR ANY PURPOSE, WHICH DOES NOT DAMAGE, DESTROY, INJURE, AND/OR UNREASONABLY INTERFERE WITH THE GRANTEE'S USE OF THE FASEMENT

2. THE GRANTEE SHALL MAKE COMMERCIALLY REASONABLE EFFORTS TO ENSURE THE DAMAGE TO THE PROPERTY IS MINIMIZED AND WILL AT ALL TIMES, AFTER DOING ANY WORK IN CONNECTION WITH THE DRAINAGE SYSTEM, RESTORE THE PROPERTY TO THE CONDITION IN WHICH THE PROPERTY WAS FOUND BEFORE SUCH WORK WAS UNDERTAKEN TO THE EXTENT THAT SUCH RESTORATION IS REASONABLE IN ACCORDANCE WITH THE GRANTEE'S USUAL AND CUSTOMARY PRACTICES.

THE GRANTEE SHALL MAKE NECESSARY MODIFICATIONS AND IMPROVEMENTS TO CONFORM WITH THE CITY OF BOERNE DRAINAGE POLICY AND PLAN AT SUCH A TIME AS THE SAID PLAN AND POLICY ARE ENACTED BY CITY COUNCIL OF THE CITY OF BOERNE, TEXAS.

GATES ACROSS EASEMENT NOTE:

IMPACT FEE ASSESSMENT NOTE:

DOUBLE SWING GATES WITH A MINIMUM CLEAR OPENING OF 12 FEET WIDE SHALL BE INSTALLED WHEREVER FENCES CROSS UTILITY AND DRAINAGE EASEMENTS.

ASSESSMENT AND COLLECTION OF THE CITY OF BOERNE WATER AND WASTEWATER UTILITIES' CAPITAL RECOVERY FEES SHALL BE THE AMOUNT PER LOT AS SET FORTH IN CITY ORDINANCE No. 2019-56, SECTION 1.09.

DRAINAGE BASIN NOTE:

FOF THE SUBDIVISION IS LOCATED WITHIN A DRAINAGE BASIN WHICH IS UPSTREAM FROM A CITY WATER SUPPLY LAKE.

BOA VARIANCE NOTE: THIS SUBDIVISION RECEIVED BOARD OF ADJUSTMENTS VARIANCE APPROVAL TO APPLY THE STANDARD LOT TYPE ON JUNE 16. 2021.

TOTAL

CIRCUMFERENCE (IN

125.7

88.0

100.5

95.8

102.1

84.8

108.4

133.5

86.4

80.1

84.8

103.7

94.2

110.0

110.0

100.5

114.7

110.0

106.8

106.8

91.1

92.7

100.5

106.8

77.0

133.5

130.4

99.0

113.1

100.5

100.5

94.2

92.7

77.0

128.8

TREE TABLE

POINT # SPECIES

63

103

104

109

115

119

123

128

138

139

140

141

142

144

155

157

LIVE OAF

LIVE OAK

2153 LIVE OAK

106 LIVE OAK

112 LIVE OAK

113 LIVE OAK

116 LIVE OAK

118 LIVE OAK

125 LIVE OAK

133 LIVE OAK

UTILITY EASEMENT (U.E.) NOTE:

JTILITIES, INCLUDING, WITHOUT LIMITATION, SEWER, WATER, GAS, ELECTRICITY, TELEPHONE, AND CABLE TELEVISION, WITH ALL NECESSARY AND/OR DESIRABLE LINES, LATERALS AND/OR APPURTENANCES THERETO (THE "UTILITIES")

TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER PASSABLE AREAS OF THE GRANTOR'S, ADJACENT LAND, WHEN THE DELINEATED ENTRANCE POINT THAT ABUTS PUBLIC RIGHT-OF-WAY IS OBSTRUCTED AND/OR INACCESSIBLE, EITHER IN WHOLE OR IN PART, IN ORDER TO ACCESS OR LEAVE THE EASEMENT FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, OPERATING, MAINTAINING, REPAIRING, AND REMOVING THE UTILITIES; THE RIGHT TO PLACE NEW OR WATER DIVERSION, AND SANITARY CONTROL, INCLUDING WITHOUT LIMITATION, WALLS, BEDS, EMBANKMENTS, SPILLWAYS, APPURTENANCES, AND OTHER ADDITIONAL UTILITIES IN THE EASEMENT AND TO CHANGE THE SIZE OF THE UTILITIES WITHIN THE EASEMENT; THE RIGHT TO RELOCATE ALONG THE SAME GENERAL ADDITIONAL OFFICE OF THE OFFICE AND THE FORTH OF THE OFFICE OFFICE AND THE PROPERTY OF THE RESTRICTIONS, WHICH REASONABLY ENDINGERS OR MAY REASONABLY INTERFERE WITH THE EFFICIENCY OR OPERATION OF THE UTILITIES; AND THE RIGHT TO PLACE TEMPORARY STRUCTURES FOR USE IN CONSTRUCTION OR REPAIRING THE UTILITIES.

> 1. THE PROPERTY OWNER RETAINS THE RIGHT TO USE ALL OR ANY PART OF THE EASEMENT FOR ANY PURPOSE WHICH DOES NOT DAMAGE, DESTROY, INJURE, AND/OR UNREASONABLY INTERFERE WITH THE USE OF THE EASEMENT. HOWEVER, THE EASEMENT SHALL BE KEPT CLEAR OF ALL STRUCTURES OR OTHER IMPROVEMENTS.

ANY WORK SYSTEMS, CULVER'S, WATER GAPS, AND PROTECTING FOLIAS, THE RIGHT TO PLACE ANY WORK IN CONNECTION WITH THE UTILITIES, RESTORE THE PROPERTY TO THE CONDITION IN WHICH THE PROPERTY WAS FOUND BEFORE SUCH WORK WAS UNDERTAKEN TO THE EXTENT THAT SUCH RESTORATION IS REASONABLE IN ACCORDANCE WITH THE CITY'S USUAL AND CUSTOMARY PRACTICES.

ETBACKS IN CITY LIMITS NOTE:

SETBACKS IN CITY LIMITS: LOT SETBACKS ARE DETERMINED BY THE CITY OF BOERNE ZONING ORDINANCE ENFORCED AT THE TIME OF DEVELOPMENT AND ARE BASED ON ZONINGLOT SIZE. UNLESS OTHERWISE IDENTIFIED, THE FRONT SETBACK FOR A PIE SHAPED LOT OR A LOT ON A CURVILINEAR STREET OR CUL-DE-SAC IS MEASURED WHEREVER THE LOT WIDTH MEETS FRONTAGE REQUIREMENTS FOR THE LOT CATEGORY.

HERITAGE LEGACY NOTE:

THERE ARE 35 HERITAGE LEGACY TREES, AS DEFINED IN SUBSECTION 2.02.002, IDENTIFIED ON THIS PLAT.

TAX CERTIFICATE NOTE: CERTIFICATE AFFIDAVIT FILED THIS DATE IN DOCUMENT#

**OBSTRUCTIONS OF DRAINAGE NOTE:** ADEQUATE STRUCTURES SHALL BE PROVIDED TO ALLOW THE UNHINDERED PASSAGE OF ALL STORM AND DRAINAGE FLOWS WHEREVER FENCES CROSS DRAINAGE

, KENDALL COUNTY OFFICIAL RECORDS

**OPEN SPACE NOTE** 

INSTALLATION OF POTABLE WATER AND WASTEWATER SERVICES TO OPEN SPACE LOTS MAY BE PERFORMED BY THE DEVELOPER AT HIS/HER OPTION, AS PART OF THE OVERALL INFRASTRUCTURE DESIGN/CONSTRUCTION PROCESSES BASED UPON THE NEED FOR THOSE SERVICES ON INDIVIDUAL LOTS. IF POTABLE WATER OR WASTEWATER SERVICES ARE NOT INITIALLY INSTALLED BUT ARE DESIRED SUBSEQUENT TO THE SUBDIVISION INFRASTRUCTURE DEVELOPMENT, THE SERVICE APPLICANT SHALL BE FINANCIALLY RESPONSIBLE FOR THE ENTIRETY OF THE DESIGN AND INSTALLATION COSTS FOR THESE SERVICES, IN SOME INSTANCES, THIS WORK MAY ALSO INCLUDE THE EXTENSION OF UTILITY MAINS TO PROPERLY LOCATE. THE DESIRED UTILITY SERVICES.

**OPEN SPACE LOT DESIGNATION NOTE:** 

LOTS 5 & 6, BLOCK 1, ARE OPEN SPACE LOTS AND ARE DESIGNATED AS AN UNDERGROUND AND AT-GRADE INFRASTRUCTURE AND SERVICE FACILITIES EASEMENT FOR GAS, ELECTRIC, STREET LIGHT, TELEPHONE, CABLE TELEVISION, DRAINAGE, PEDESTRIAN, WATER, WASTEWATER, AND RECYCLED WATER MAINS.

	Line Table			Line Table	
Line#	Bearing	Length	Line #	Bearing	Length
L1	S 00°02'30" W	116.84'	L11	N 89°37'54" E	177.16'
L2	S 67°15'23" W	17.30'	L12	N 00°02'30" E	79.89'
L3	S 89°46'01" W	34.00'	L13	S 89°57'30" E	106.41'
L4	N 00°01'24" W	77.47'	L14	N 46°27'34" E	168.69
L5	S 89°37'54" W	137.46'	L15	N 89°36'26" E	3.43'
L6	N 45°54'08" W	63.96'	L16	S 00°23'34" E	54.00'
L7	N 45°54'08" W	69.37'	L17	S 89°36'26" W	3.43'
L8	N 43°57'34" E	85.45'	L18	S 46°27'34" W	168.69'
L9	N 88°52'02" E	51.00'	L19	N 89°57'30" W	106.41'
L10	S 02°04'11" W	135.33'	L20	S 89°36'26" W	16.00'

STATE OF TEXAS	
COUNTY OF BANDERA	
THE OWNER OF LAND SHOWN ON THIS PLAT, IN PERSON OR	THROUGH A DULY
AUTHORIZED AGENT, DEDICATES TO THE USE OF THE PUBLIC FORE	VER ALL STREETS.
ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC	PLACES THEREON
SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSE	D.

OWNER: TERRY LEWIS VOGT BANDERA, TEXAS 78003

STATE OF TEXAS COUNTY OF BANDERA

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED TERRY LEWIS VOGT KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND, IN THE CAPACITY, THEREIN STATED. GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS \_\_\_\_\_ DAY OF\_

NOTARY PUBLIC BANDERA COUNTY TEXAS

STATE OF TEXAS

COUNTY OF KENDALL
THE OWNER OF LAND SHOWN ON THIS PLAT, IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, DEDICATES TO THE USE OF THE PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

> OWNER: ANITA LEWIS ASHER P.O. BOX 1177 **BOERNE, TEXAS 78006**

STATE OF TEXAS

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED ANITA LEWIS ASHER KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND, IN THE CAPACITY, THEREIN STATED. GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS DAY OF

NOTARY PUBLIC KENDALL COUNTY TEXAS Curve # Length Radius Delta Chord Bearing Chord Length Tangent 20.42' 13.00' 89°59'58' 13,00' S 44°57'32" E 18.38 131.59' 173.00' 43°34'56' 69.16 N 68°15'02" E 128.44 55.92' | 227.00' | 14°06'51" C3 28.10' N 53°30'59" E 55.78' 23.97' 28.00' 49°02'56" 12.77' N 36°02'57" E 23.24' 145.13' C5 60.00' 138°35'25' 158.75 N 80°49'11" E 112.25' 5.28' 5.00' 60°30'27' 2.92' S 60°08'20" E 5.04' C7 5.28' 5.00' 60°30'27" 2.92' S 59°21'13" W 5.04 88.95' 60.00' 84°56'25' C8 54.92' S 71°34'12" W 81.02' 26.95' 28.00' 55°08'40' C9 14.62' S 86°28'05" W 25.92' 37.55' 173.00' 12°26'11' S 52°40'39" W 18.85' 37.48 172.67' 227.00' S 68°15'02" W C11 43°34'56' 90.75 168.54' C12 20.31 13.00' 89°31'47" 12.89' S 45°16'36" W

**Curve Table** 

STATE OF TEXAS COUNTY OF KENDALL

THE OWNER OF LAND SHOWN ON THIS PLAT, IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, DEDICATES TO THE USE OF THE PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED

> OWNER: TREILA LEWIS WHITING 116 DODGE RD. **BOERNE, TEXAS 78006**

STATE OF TEXAS COUNTY OF KENDALL

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED TREILA LEWIS WHITING KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND, IN THE CAPACITY, THEREIN STATED. GIVEN UNDER MY HAND AND SEAL

NOTARY PUBLIC KENDALL COUNTY TEXAS

STATE OF TEXAS COUNTY OF KENDALL

THE OWNER OF LAND SHOWN ON THIS PLAT, IN PERSON OR THROUGH A DULY AUTHORIZED AGENT. DEDICATES TO THE USE OF THE PUBLIC FOREVER ALL STREETS. ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED

> OWNER: CLIFFORD DALE LEWIS 605 PLEASANT VALLEY **BOERNE, TEXAS 78006**

STATE OF TEXAS COUNTY OF KENDALL

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED CLIFFORD DALE LEWIS KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND, IN THE CAPACITY, THEREIN STATED. GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS \_\_\_\_\_ DAY OF\_

NOTARY PUBLIC KENDALL COUNTY TEXAS

**PRELIMINARY** SUBDIVISION PLAT **ESTABLISHING** 

502 S. SCHOOL ST

BEING A 4.8328 ACRE TRACT OF LAND OUT OF THE ANTONIO LOCKMAR SURVEY NO. 178, KENDALL COUNTY, TEXAS, AND BEING COMPRISED OF A CALLED 4.69 ACRE TRACT AS DESCRIBED IN WARRANTY DEED RECORDED IN DOCUMENT NO. 2021-352232, SAVE & EXCEPT THE 0.838 ACRE TRACT AS DESCRIBED IN SPECIAL WARRANTY DEED RECORDED IN DOCUMENT NO. 352267. AND BEING ALL OF THAT 0.919 OF AN ACRE AS DESCRIBED IN SPECIAL NARRANTY DEED RECORDED IN DOCUMENT NO. 2021-352266, ALL OF THE OFFICIAL PUBLIC RECORDS OF KENDALL COUNTY, TEXAS.

50 25 MACINA • BOSE • COPELAND & ASSOC., INC. CONSULTING ENGINEERS AND LAND SURVEYORS

1035 Central Parkway North, San Antonio, Texas 78232 (210) 545-1122 Fax (210) 545-9302 www.mbcengineers.com

FIRM REGISTRATION NUMBER: T.B.P.E. F-784 & T.B.P.L.S. 10011700

JOB NO.: 32653/BOERNE

STATE OF TEXAS COUNTY OF BEXAR

10/31/2021

DATED THIS \_\_\_\_ DAY OF

STATE OF TEXAS

THE OWNER OF LAND SHOWN ON THIS PLAT, IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, DEDICATES TO THE USE OF THE PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

> OWNER: IMAGINE BUILT HOMES, LTD JAMES BASTONI 11467 HUEBNER RD., SUITE #225 SAN ANTONIO, TEXAS 78230

THIS PLAT OF 502 S. SCHOOL ST. HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF BOERNE, TEXAS, AND IS HEREBY APPROVED BY SUCH COMMISSION.

BY:	
CHAIR	

SECRATARY

COUNTY CLERK OF SAID COUNTY, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF WRITING WITH THIS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE THE DAY OF \_ A.D. 2021 AT \_\_\_ IN THE PLAT RECORDS OF SAID COUNTY IN DOCUMENT I

TAX CERTIFICATE AFFIDAVIT FILED THIS DATE IN DOCEMENT No. KENDALL COUNTY OFFICIAL RECORDS. IN TESTIMONY, WHEREOF, WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE, THIS \_\_\_\_\_ DAY OF \_\_\_ A.D. 2021.

KENDA	rr coni	VIY,	I EX

COUNTY CLER

CITY OF BOERNE **Development Services** Charl J. Roger 127 112021

REVIEWED

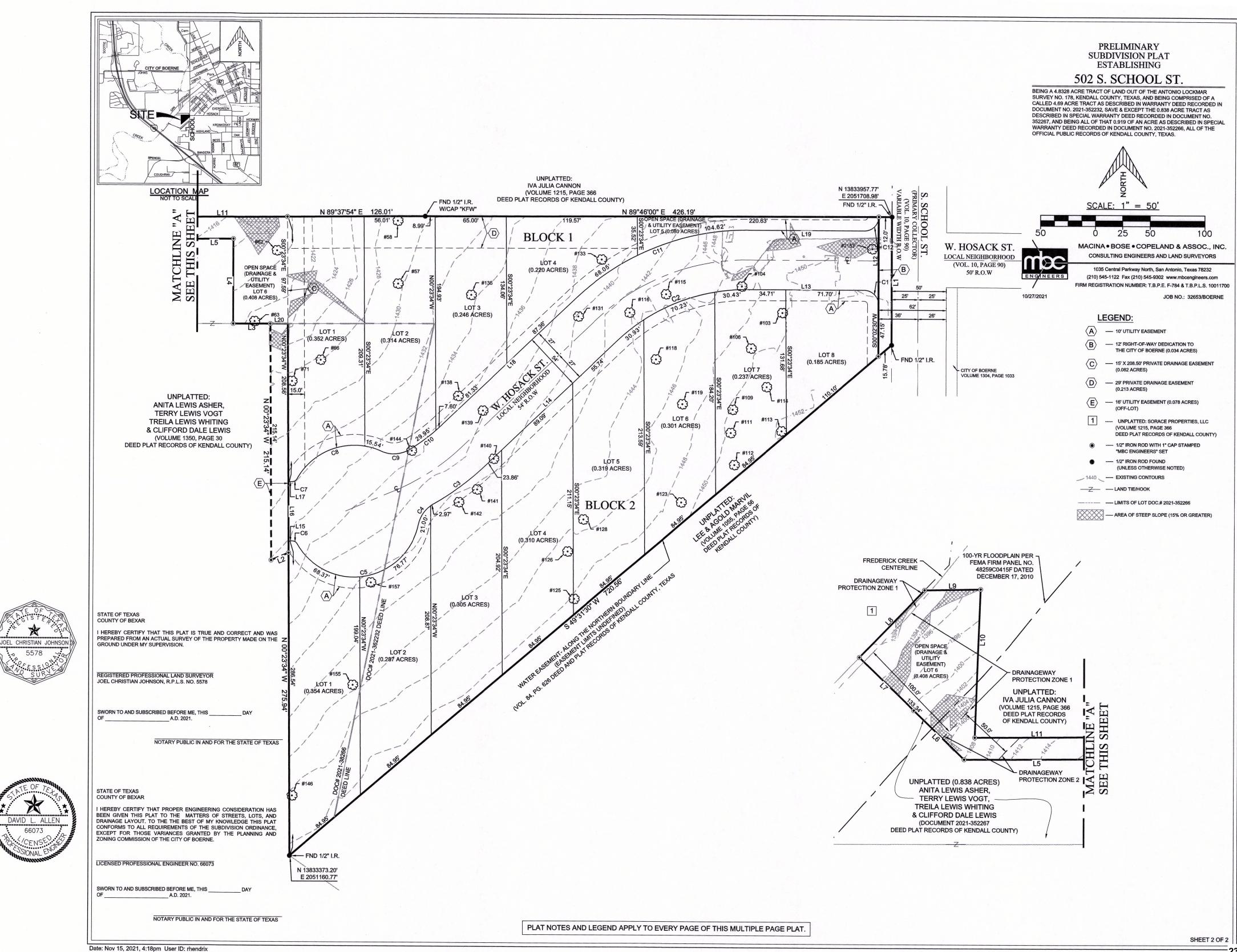
No comments

FYI: LIDand detention will be required

PLAT NOTES AND LEGEND APPLY TO EVERY PAGE OF THIS MULTIPLE PAGE PLAT.

SHEET 1 OF 2

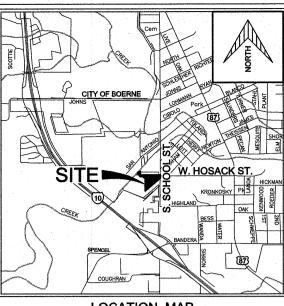
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5578

DAVID L. ALLEN

66073



# LOCATION MAP

# LEGEND:

A --- 10' UTILITY EASEMENT

---- 12' RIGHT-OF-WAY DEDICATION TO

---- VAR. WD. PRIVATE DRAINAGE EASEMENT (0.098 ACRES)

--- 31' PRIVATE DRAINAGE EASEMENT (0.131 ACRES)

---- 20' UTILITY EASEMENT (0.098 ACRES)

(OFF-LOT)

(VOLUME 1215, PAGE 366 DEED PLAT RECORDS OF KENDALL COUNTY) ---- UNPLATTED: BARDEN RONALD D. & ELOISA (VOLUME 1652, PG. 896

---- UNPLATTED: SORACE PROPERTIES, LLC

DEED PLAT RECORDS OF KENDALL COUNTY) --- 1/2" IRON ROD WITH 1" CAP STAMPED "MBC ENGINEERS" SET

--- 1/2" IRON ROD FOUND (UNLESS OTHERWISE NOTED)

---- LIMITS OF LOT DOC.# 2021-352266

(XXX) --- ADDRESS

SUMMARY TABLE	
NUMBER OF RESIDENTIAL LOTS	12
NUMBER OF OPEN SPACE LOTS	2
ACREAGE OF RIGHT-OF-WAY	0.883 ACRES
AREA OF SMALLEST LOT	0.185 ACRES
GROSS DENSITY (HOMES/ACRE)	2.4
ACREAGE OF OPEN SPACE	0.72 ACRES
ROW DEDICATION	0.034 ACRES

BLOCK PERIMETER LENGTH				
BLOCK	PERIMETER (FT)			
<b>1</b>	2,148'			
2	1,699'			

# STATE OF TEXAS

COUNTY OF BEXAR

I HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE ON THE

REGISTERED PROFESSIONAL LAND SURVEYOR

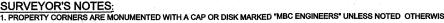


# STATE OF TEXAS

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

LICENSED PROFESSIONAL ENGINEER NO. 66073

SWORN TO AND SUBSCRIBED BEFORE ME, THIS OF \_\_\_\_\_\_\_\_\_A.D. 2024.



2. BEARINGS AND COORDINATES SHOWN ARE BASED ON THE NORTH AMERICAN DATUM OF 1983 (NAZ011) FROM THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE DISPLAYED IN GRID VALUES DERIVED FROM THE NGS COOPERATIVE CORS NETWORK.

TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER PASSABLE AREAS OF THE GRANTOR'S ADJACENT LAND, WHEN THE DELINEATED ENTRANCE POINT THAT ABUTS OR REPAIRING THE LITILITIES TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER PASSABLE AREAS OF THE GRANTOR'S ADJACENT LAND, WHEN THE DELINEATED ENTRANCE FOINT THAT ABOUTS PUBLIC RIGHT-OF-WAY IS OBSTRUCTED AND/OR INACCESSIBLE, EITHER IN WHOLE OR IN PART, IN ORDER TO ACCESS OR LEAVE THE EASEMENT FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, OPERATING, MAINTAINING, REPAIRING, AND REMOVING THE DRAINAGE SYSTEM; THE RIGHT TO CHANGE THE CONDITIONING, RECORDING, INSPECTING, PATROLLING, OPERATING, WANTANING, REPAIRING, AND REMOVING THE DRAINAGE STSTEM; THE RIGHT TO CREATE SIZE OF THE BRAINAGE SYSTEM WITHIN THE EASEMENT; THE RIGHT TO CREATE AND/OR DREDGE A STREAM COURSE, REFILL, OR DIG OUT SUCH STREAM COURSE, ESTABLISH OR CHANGE STREAM EMBANKMENTS WITHIN THE EASEMENT, INSTALL STORM SEWER SYSTEMS, CULVERTS, WATER GASONABLY ENDANGER OR MAY REASONABLY INTERFERE WITH THE EFFICIENCY OF THE DRAINAGE SYSTEM; AND THE RIGHT TO PLACE

2. THE CITY SHALL MAKE COMMERCIALLY REASONABLY ENDANGER OR MAY REASONABLY INTERFERE WITH THE EFFICIENCY OF THE DRAINAGE SYSTEM; AND THE RIGHT TO PLACE

ANY WORK IN CONNECTION WITH THE UTILITIES, RESTORE THE PROPERTY TO THE CONDITION IN WHICH THE PROPERTY WAS FOUND BEFORE SUCH WORK WAS UNDERTAKEN TEMPORARY STRUCTURES FOR USE IN CONSTRUCTING OR REPAIRING THE DRAINAGE SYSTEM.

WITH RESPECT TO THE DRAINAGE SYSTEM. IT IS EXPRESSLY AGREED AND UNDERSTOOD BY ALL PARTIES HERETO, THAT THE INTENTION IS TO IMPROVE CONDITIONS OF SIDEWALK NOTE WITH RESPECT TO THE DATINGUE STEEM, TO LOT THE PROPERTY ADJACENT TO ALL PROPERTY LINES OF EACH LOT SOLUTION.

AT SUCH TIME AS A LOT IS DEVELOPED, A FIVE-FOOT WIDE REINFORCED CONCRETE SIDEWALK SHALL BE INSTALLED ADJACENT TO ALL PROPERTY LINES OF EACH LOT NOT GURRANTEE OR WARRANT THAT SUCH CONTROL WORK WILL BE EFFECTIVE, NOR DOES THE CITY ASSUME ANY ADDITIONAL LIABILITY WHATSOEVER FOR THE EFFECTS

WHERE THE LOT ABUTS PUBLIC OR PRIVATE STREET. NG WATER, OR DRAINAGE ON OR TO THE PROPERTY, OR ANY OTHER PROPERTY OR PERSONS THAT MIGHT BE AFFECTED BY SAID STREAM, WASH, OI GULLY IN ITS NATURAL STATE OR AS CHANGED BY THE CITY.

2. THE GRANTEE SHALL MAKE COMMERCIALLY REASONABLE EFFORTS TO ENSURE THE DAMAGE TO THE PROPERTY IS MINIMIZED AND WILL AT ALL TIMES, AFTER DOING ANY WORK IN CONNECTION WITH THE DRAINAGE SYSTEM, RESTORE THE PROPERTY TO THE CONDITION IN WHICH THE PROPERTY WAS FOUND BEFORE SUCH WORK WAS THERE ARE 35 HERITAGE LEGACY TREES, AS DEFINED IN SUBSECTION 2.02.002, IDENTIFIED ON THIS PLAT. WORK IN CONNECTION WITH THE DRAINAGE SYSTEM, RESTORE THE PROPERTY TO THE CONDITION IN WHICH THE PROPERTY WAS FOUND BEFORE SUCH WORK WAS UNDERTAKEN TO THE EXTENT THAT SUCH RESTORATION IS REASONABLE IN ACCORDANCE WITH THE GRANTEE'S USUAL AND CUSTOMARY PRACTICES.

3. THE GRANTEE SHALL MAKE NECESSARY MODIFICATIONS AND IMPROVEMENTS TO CONFORM WITH THE CITY OF BOERNE DRAINAGE POLICY AND PLAN AT SUCH A TIME AS THE SAID PLAN AND POLICY ARE ENACTED BY CITY COUNCIL OF THE CITY OF BOERNE, TEXAS.

**GATES ACROSS EASEMENT NOTE:** 

IR OPENING OF 12 FEET WIDE SHALL BE INSTALLED WHEREVER FENCES CROSS UTILITY AND DRAINAGE EASEMENTS. **IMPACT FEE ASSESSMENT NOTE:** ASSESSMENT AND COLLECTION OF THE CITY OF BOERNE WATER AND WASTEWATER UTILITIES' CAPITAL RECOVERY FEES SHALL BE THE AMOUNT PER LOT AS SET FORTH IN

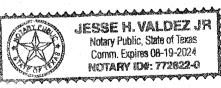
**DRAINAGE BASIN NOTE:** NO PART OF THE SUBDIVISION IS LOCATED WITHIN A DRAINAGE BASIN WHICH IS UPSTREAM FROM A CITY WATER SUPPLY LAKE.

# **BOA VARIANCE NOTE:**

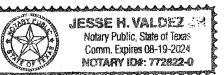
SUBDIVISION RECEIVED BOARD OF ADJUSTMENTS VARIANCE APPROVAL TO APPLY THE STANDARD LOT TYPE ON JUNE 16, 2021.

	Line Table			Line Table	
Line #	Bearing	Length	Line#	Bearing	Length
L1	S 00°02'30" W	116.84'	L12	N 00°02'30" E	79.89'
L2	S 67°15'23" W	21.63'	L13	S 89°57'30" E	106.41'
L3	S 89°46'01" W	30.29'	L14	N 46°27'34" E	168.69'
L4	N 00°01'24" W	77.47'	L15	N 89°36'26" E	3.25'
L5	S 89°37'54" W	137.46'	L16	S 00°21'29" E	54.00'
L6	N 45°54'08" W	122.60'	L17	S 89°36'26" W	3.22'
L7	N 47°51'21" E	13.56'	L18	S 46°27'34" W	168.69'
L8	N 58°15'05" E	25.86'	L19	N 89°57'30" W	106.41'
L9	N 35°20'46" E	57.67'	L20	S 89°46'01" W	20.00'
L10	S 89°59'24" E	36.74'	L21	S 00°21'29" E	112.11'
L11	S 01°55'29" W	135.35'	L22	S 30°37'46" E	28.48'









UTILITY EASEMENT (U.E.) NOTE:

JTILITIES, INCLUDING, WITHOUT LIMITATION, SEWER, WATER, GAS, ELECTRICITY, TELEPHONE, AND CABLE TELEVISION, WITH ALL NECESSARY AND/OR DESIRABLE LINES, LATERALS AND/OR APPURTENANCES THERETO (THE "UTILITIES")

TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER PASSABLE AREAS OF THE GRANTOR'S, ADJACENT LAND, WHEN THE DELINEATED ENTRANCE POINT THAT ABUTS SOUTH CENTRAL ZONE DISPLAYED IN GRID VALUES DERIVED FROM THE NGS COUPERATIVE CORS NETWORK.

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I COUPE

1. THE PROPERTY OWNER RETAINS THE RIGHT TO USE ALL OR ANY PART OF THE EASEMENT FOR ANY PURPOSE WHICH DOES NOT DAMAGE, DESTROY, INJURE, AND/OR UNREASONABLY INTERFERE WITH THE USE OF THE EASEMENT. HOWEVER, THE EASEMENT SHALL BE KEPT CLEAR OF ALL STRUCTURES OR OTHER IMPROVEMENTS.

TO THE EXTENT THAT SUCH RESTORATION IS REASONABLE IN ACCORDANCE WITH THE CITY'S USUAL AND CUSTOMAR'

SETBACKS IN CITY LIMITS NOTE:

5. SETBACKS ARE DETERMINED BY THE CITY OF BORRNE ZONING ORDINANCE ENFORCED AT THE TIME OF DEVELOPMENT AND ARE BASED ON 1. THE GRANTOR SPECIFICALLY RESERVES THE RIGHT TO USE ALL OR ANY PART OF THE EASEMENT FOR ANY PURPOSE, WHICH DOES NOT DAMAGE, DESTROY, INJURE, AND/OR UNREASONABLY INTERFERE WITH THE GRANTEE'S USE OF THE EASEMENT.

SETBACKS ARE DETERMINED BY THE CITY OF BORRNE ZONING ORDINANCE ENFORCED AT THE TIME OF DEVELOPMENT AND ARE BASED ON ZONING/LOT SIZE. UNLESS OTHERWISE IDENTIFIED, THE FRONT SETBACK FOR A PIE SHAPED LOT OR A LOT ON A CURVILINEAR STREET OR CUL-DE-SAC IS MEASURED WHEREVER THE LOT WIDTH MEETS FRONTAGE REQUIREMENTS FOR THE LOT CATEGORY.

TAX CERTIFICATE NOTE:

TAX CERTIFICATE AFFIDAVIT FILED THIS DATE IN DOCUMENT #\_ OBSTRUCTIONS OF DRAINAGE NOTE:

ADEQUATE STRUCTURES SHALL BE PROVIDED TO ALLOW THE UNHINDERED PASSAGE OF ALL STORM AND DRAINAGE FLOWS WHEREVER FENCES CROSS DRAINAGE

**OPEN SPACE NOTE:** 

TREE TABLE

SPECIES

LIVE OAF

LIVE OAK

139 LIVE OAK

140 LIVE OAK

144 LIVE OAK

POINT#

57

58

62

63

71

103

104

106

109

111

112

113

114

115

116

118

119

123

125

126

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141

142

146

155

157

2153

INSTALLATION OF POTABLE WATER AND WASTEWATER SERVICES TO OPEN SPACE LOTS MAY BE PERFORMED BY THE DEVELOPER AT HIS/HER OPTION, AS PART OF THE OVERALL INFRASTRUCTURE DESIGN/CONSTRUCTION PROCESSES BASED UPON THE NEED FOR THOSE SERVICES ON INDIVIDUAL LOTS. IF POTABLE WATER OR WASTEWATER SERVICES ARE NOT INITIALLY INSTALLED BUT ARE DESIRED SUBSEQUENT TO THE SUBDIVISION INFRASTRUCTURE DEVELOPMENT, THE SERVICE APPLICANT SHALL BE FINANCIALLY RESPONSIBLE FOR THE ENTIRETY OF THE DESIGN AND INSTALLATION COSTS FOR THESE SERVICES, IN SOME INSTANCES, THIS WORK MAY ALSO INCLUDE THE EXTENSION OF UTILITY MAINS TO PROPERLY LOCATE.

CIRCUMFERENCE (IN)

125.7

88.0

100.5

95.8

102.1

84.8

108.4

133.5

86.4

80.1

84.8

103.7

94.2

110.0

110.0

100.5

114.7

110.0

106.8

106.8

91.1

92.7

100.5

106.8

77.0

133.5

130.4

99.0

113.1

100.5

100.5

94.2

92.7

77.0

128.8

OPEN SPACE LOT DESIGNATION NOTE:
LOTS 5 & 6, BLOCK 1, ARE OPEN SPACE LOTS AND ARE DESIGNATED AS AN UNDERGROUND AND AT-GRADE INFRASTRUCTURE AND SERVICE FACILITIES EASEMENT FOR GAS, ELECTRIC, STREET LIGHT, TELEPHONE, CABLE TELEVISION, DRAINAGE, PEDESTRIAN, WATER, WASTEWATER, AND RECYCLED WATER MAINS

Curve Table							
Curve #	Length	Radius	Delta	Tangent	Chord Bearing	Chord Length	
C1	20.42'	13.00'	90°00'00"	13.00'	S 44°57'30" E	18.38'	
C2	131.59'	173.00'	43°34'56"	69.16'	N 68°15'02" E	128.44'	
СЗ	55.92'	227.00'	14°06'51"	28.10'	N 53°30'59" E	55.78'	
C4	23.97'	28.00'	49°02'56"	12.77'	N 36°02'57" E	23.24'	
C5	145.13'	60.00'	138°35'25"	158.75	N 80°49'11" E	112.25'	
C6	5.28'	5.00'	60°30'27"	2.92'	S 60°08'20" E	5.04'	
C7	5.28'	5.00'	60°30'27"	2.92'	S 59°21'13" W	5.04'	
C8	88.95'	60.00'	84°56'25"	54.92'	S 71°34'12" W	81.02'	
C9	26,95'	28.00'	55°08'40"	14.62'	S 86°28'05" W	25.92'	
C10	37.55'	173.00'	12°26'11"	18.85'	S 52°40'39" W	37.48'	
C11	172.67'	227.00'	43°34'56"	90.75'	S 68°15'02" W	168.54'	
C12	20.31'	13.00'	89°31'47"	12.89'	S 45°16'36" W	18.31'	

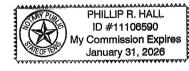
# STATE OF TEXAS

THE OWNER OF LAND SHOWN ON THIS PLAT, IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, DEDICATES TO THE USE OF THE PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN B

> BŐERNE. TEXAS 78006 FOR: 20' UTILITY EASEMENT (OFF-LOT)

STATE OF TEXAS

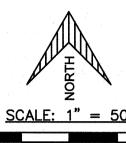
BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED MARK WEEKLEY KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND, IN THE CAPACITY, THEREIN STATED. GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS DAY OF HALL , 2024.



# FINAL SUBDIVISION PLAT **ESTABLISHING**

# 502 S. SCHOOL ST.

BEING A TOTAL OF 4.898 ACRES OF LAND, SITUATED IN THE CITY OF BOERNE, OUT OF THE ANTONIO LOCKMAR SURVEY NO. 178, ABSTRACT NO. 311, KENDALL COUNTY TEXAS. AND BEING DESCRIBED IN A SPECIAL WARRANTY DEED, RECORDED IN DOCUMENT NO. 2022-370359 & WARRANTY DEED RECORDED IN DOCUMENT NO. 2022-368187, OF THE OFFICIAL PUBLIC RECORDS OF KENDALL COUNTY, TEXAS.



MACINA • BOSE • COPELAND & ASSOC., INC. CONSULTING ENGINEERS AND LAND SURVEYORS

1035 Central Parkway North, San Antonio, Texas 78232 (210) 545-1122 Fax (210) 545-9302 www.mbcengineers.com

FIRM REGISTRATION NUMBER: T.B.P.E. F-784 & T.B.P.L.S. 10011700

JOB NO : 32653/BOERNE

04/10/2024 STATE OF TEXAS COUNTY OF BEXAR

ENGINEERS

THE OWNER OF LAND SHOWN ON THIS PLAT, IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, DEDICATES TO THE USE OF THE PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMEN'S AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

EAZER FUNDAMENTAL, LLC OWNER: H OHN FRIESENHAHN

11467 HHUEBNER RD. SUITE 225

STATE OF TEXAS

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED JOHN FRIESENHAHN KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE EXPECTING INSTRUMENT. JBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND, IN THE CAPACITY, THEREIN STATED. GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS DAY OF , 2024 .

Colley) NOTARY PUBLIC **BEXAR COUNTY TEXAS** 

COLLEEN TAYLOR Notary Public, State of Texas Comm. Expires 05-24-2028 Notary ID 341838

THIS PLAT OF 502 S. SCHOOL ST. HAS BEEN SUBMITTED TO AN	JŊ
13.0 522.7 555/// 12.0	
CONSIDERED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF BOERN	E,
TEXAS, AND IS HEREBY APPROVED BY SUCH COMMISSION.	

ATED THIS DAY OF	· · · · · · · · · · · · · · · · · · ·
	BY:
	CHAIR
	BY:
	SECRETARY

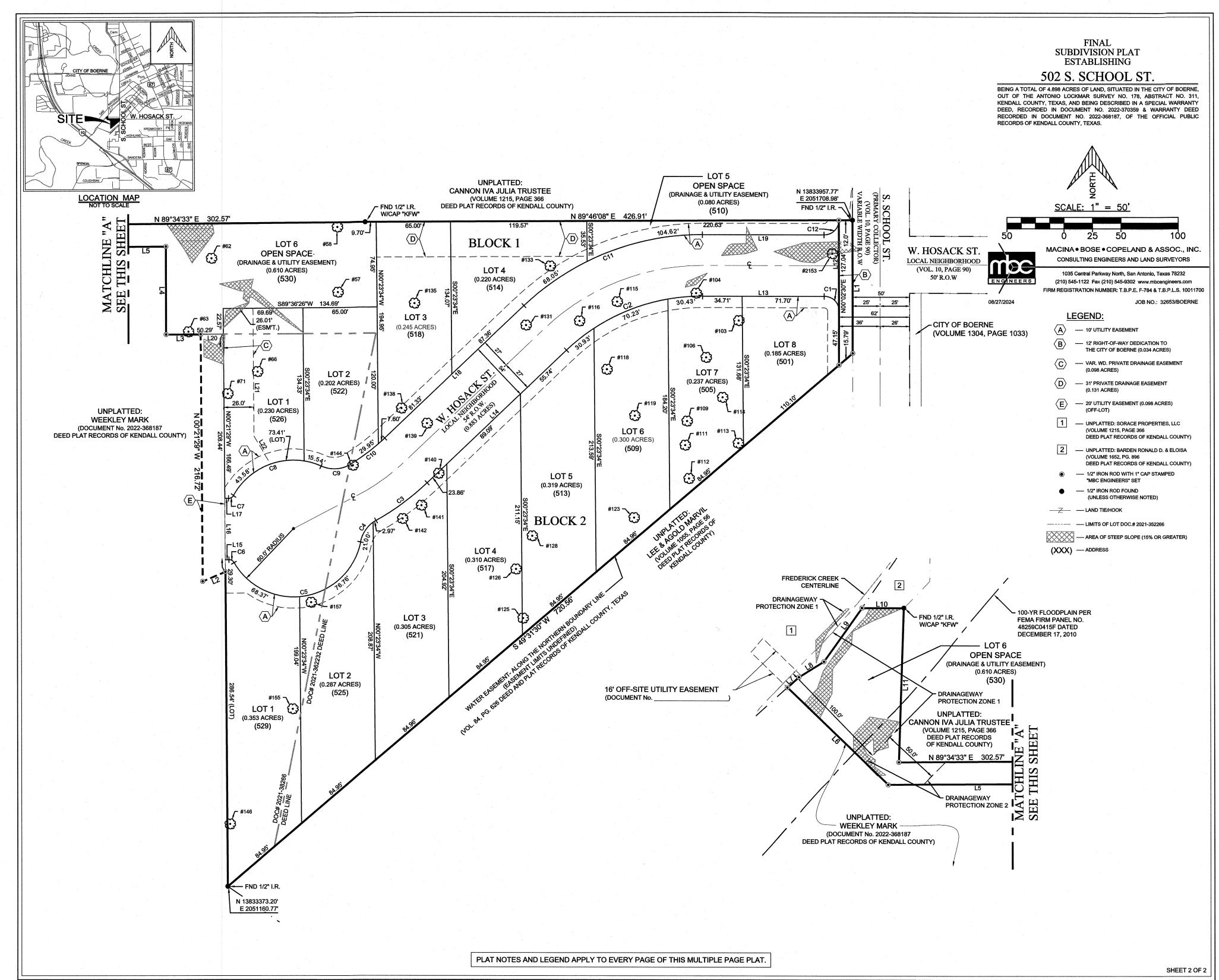
STATE OF TEXAS COUNTY OF KENDALL

,,	COUNTY	CLERK OF	SAID COUNTY,	DO HEREBY	CERTIFY	THAT
THE FOREGOING INSTRUMENT OF	WRITING	WITH TH	IS CERTIFICATE	OF AUTHEN	TICATION	WAS
ILED FOR RECORD IN MY OFFICE T	HE	_ DAY OF		A.D. 2024	AT	M.
N THE PLAT RECORDS OF SAID CO	UNTY IN C	OCUMEN	IT No			<u>.</u> .

TAX CERTIFICATE AFFIDAVIT FILED THIS DATE IN DOCEMENT No. KENDALL COUNTY OFFICIAL RECORDS. IN TESTIMONY, WHEREOF, WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE, THIS \_\_\_\_\_ DAY OF \_\_ A.D. 2024.

> COUNTY CLERK KENDALL COUNTY, TEXAS

PLAT NOTES AND LEGEND APPLY TO EVERY PAGE OF THIS MULTIPLE PAGE PLAT.



OB B	AGENDA ITEM SUMMARY
<b>⊘</b> D	
Agenda Date	September 9, 2024
Requested Action	A request for final plat approval for Corley Farms Unit 4 subdivision name/unit generally located north Corley Road and West of Vallerie Lane. (Extra Territorial Jurisdiction)
Contact Person	Tyler Cain, Planner II (830) 248-1628, tcain@boerne-tx.gov
Background Information	BACKGROUND:
	<ul> <li>ETJ/City Limit Status:         Corley Farms Unit 4 is within the Extra-Territorial Jurisdiction         (ETJ). The city has subdivision authority but does not have         zoning authority in the ETJ. The City Council approved a         Development Agreement in November 2019, with four         subsequent amendments, the most recent of which was         executed August 2023. The Corley Farms Master Plan, an exhibit         of the Development Agreement, indicates an overall gross         density of 3.0 dwellings per acre. It includes 1,122 lots and 88.48         acres of open space/ park area, subdivided into 16 units.</li> <li>Applicant/Owner:         Boernebak II, LLC/Pulte Homes of Texas, LP is the owner, and         Andy Lowry, PE, with Cude Engineers serves as the applicant's         representative.</li> </ul>
	<ul> <li>Zoning: N/A; Within the ETJ and must abide by Development Agreement.</li> <li>Any other relevant cases/permits: The Corley Farms Unit 4         Preliminary Plat was conditionally approved by the Planning and Zoning Commission on August 1, 2022. Staff certified the Preliminary Plat fulfilled/met the conditions on August 30, 2022.     </li> </ul>
	REQUEST:
	<ul> <li>Corley Farms Unit 4 includes 127 residential lots on 35.89 acres.</li> <li>The density is 3.54 per acre. Lot sizes range from 4,356 sq. feet (.10 acres) to 12,414 square feet (.285 acres).</li> </ul>

- From Scenic Loop Road, Homestead Ridge will provide primary access to the site. Homestead Ridge is identified as an arterial on the City's Thoroughfare Plan and a primary collector within the original Development Agreement 2019-R183. Additionally, Corley Rd. will provide access along the southern boundary of the Unit.
- The Kendall County Water Control Improvement District #3A
   (WCID)is the retail provider of water service. Wholesale sewer
   service is provided by the City of Boerne. The City of Boerne is
   the sole retail gas provider.

# **ANALYSIS:**

# Development Master Plan & Zoning:

- The City's Future Land Use Map designates this property as Transitional Residential and Neighborhood Residential. The final plat is consistent with the Comprehensive Plan.
- The Proposed Final Plat aligns with the Corley Farms Master Plan, which approved a total of 127 lots for Unit 4.
- The proposed Unit 4 plat is consistent the terms of the Development Agreement, and the applicable subdivision regulations in effect at the time of Development Agreement approval, including lotting and block configuration.

# Landscaping and Open Space:

• The Corley Farms Master Plan articulates that Unit 4 offers 7.12 acres of open space. Portions of Blocks 27, 28, 31, 43, 46, 48, and 49 will be utilized as open space. The Unit 4 final plat identifies 7.50 combined acres of open space.

# <u>Utilities, Drainage and Floodplain:</u>

- This Unit contains approximately 7.24 acres of drainage easements in Block 48, 49, 43, and 46.
- The FEMA 100-Year Floodplain is depicted on the plat. The construction of a new culvert crossing and realignment the channel is requiring the applicant to submit a proposed Conditional Letter of Map Revision (CLOMR) to FEMA. Three

conditions have been included to require approval of the CLOMR before recordation of the plat, construction plan approval, and construction of the Unit.

 Corley Farms is within WCID #3A. Bandera Electric Cooperative provides electricity. The City of Boerne is the gas provider and provides wholesale sewer. The public infrastructure construction plans have been reviewed and conditionally approved by the City. Additionally, public infrastructure construction plans are pending approval by the County.

# **FINDINGS:**

- The final plat is consistent With the Comprehensive Master Plan.
- The final plat is consistent with existing Development Agreement.
- The final plat is consistent with the applicable subdivision regulations.

# STAFF RECOMMENDATION:

Staff recommends approval of the Corley Farms Unit 4 Final Plat with the following condition included:

- 1. The recorded plat shall substantially conform to the final plat date stamped September 5, 2024.
- 2. Plat cannot be recorded until the CLOMR has been approved by FEMA.
- 3. Corley Road Improvements Phase II plans must be approved prior to recordation of the plat.
- 4. If a financial guarantee is provided to record the plat, the financial guarantee must include engineering, survey, and filing fees, etc. for the LOMR.
- 5. Floodplain permit is required before construction in the channel can occur that will revise the floodplain.
- 6. Construction on Unit 4 cannot begin until the Corley Road Improvements Phase II plans are approved.

# MOTIONS FOR CONSIDERATION:

The following motions are provided to assist the Commission's decision.

	<ul> <li>findings and APPROVE the p conditions recommended by</li> <li>I move that the Planning and proposed final plat based on Commission will need to star</li> </ul>	d Zoning Commission accept the proposed final plat subject with the y staff.  d Zoning Commission <b>DENY</b> the name the following findings: (The te the reasons for the denial. These ecific regulations in the UDC.).		
Item Justification	<ul><li>[X] Legal/Regulatory Obligation</li><li>[ ] Reduce Costs</li><li>[ ] Increase Revenue</li><li>[ ] Mitigate Risk</li><li>[ ] Master Plan Recommendation</li></ul>	[ ] Infrastructure Investment [X] Customer Pull [ ] Service Enhancement [ ] Process Efficiency [ ] Other:		
Strategic Alignment  Financial Considerations	C2 – Seeking customer-driven feedb F2 – Investing in and maintaining his and public assets. B2 – Advancing master plan recomm N/A	gh-quality infrastructure systems		
Citizen Input/Board Review	This plat does not meet the public notice or hearing requirements under LGC Sec. 212.015.			
Legal Review	This action is needed to meet statutory requirements.			
Alternative Options	The Commission must approve, approve with conditions, extend the review, or disapprove the plat. Each condition or reason for denial must be directly related to the requirements of city regulations and may not be arbitrary.			
Supporting Documents	Attachment 1 – Vicinity Map Attachment 2 – Floodplain and DPZ Map Attachment 3 – Corely Farms Approved Master Plan January 2024 Attachment 4 – Proposed Corely Farms Unit 4 Final Plat			







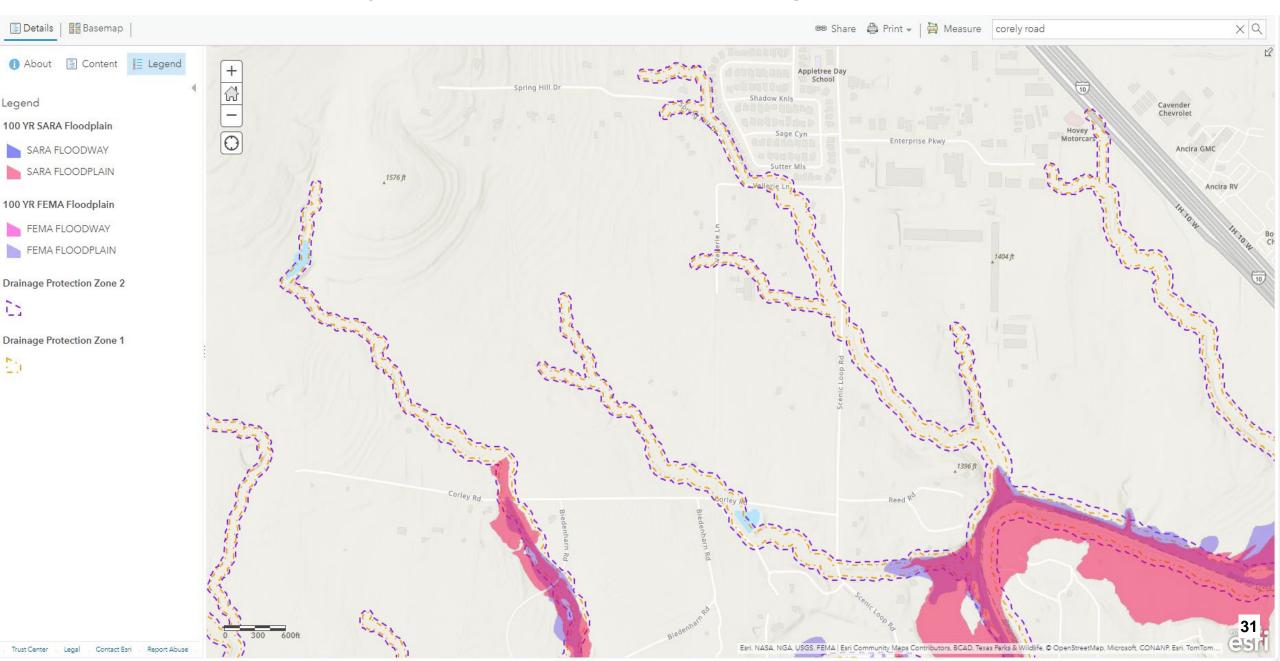
SUBJECT PROPERTY

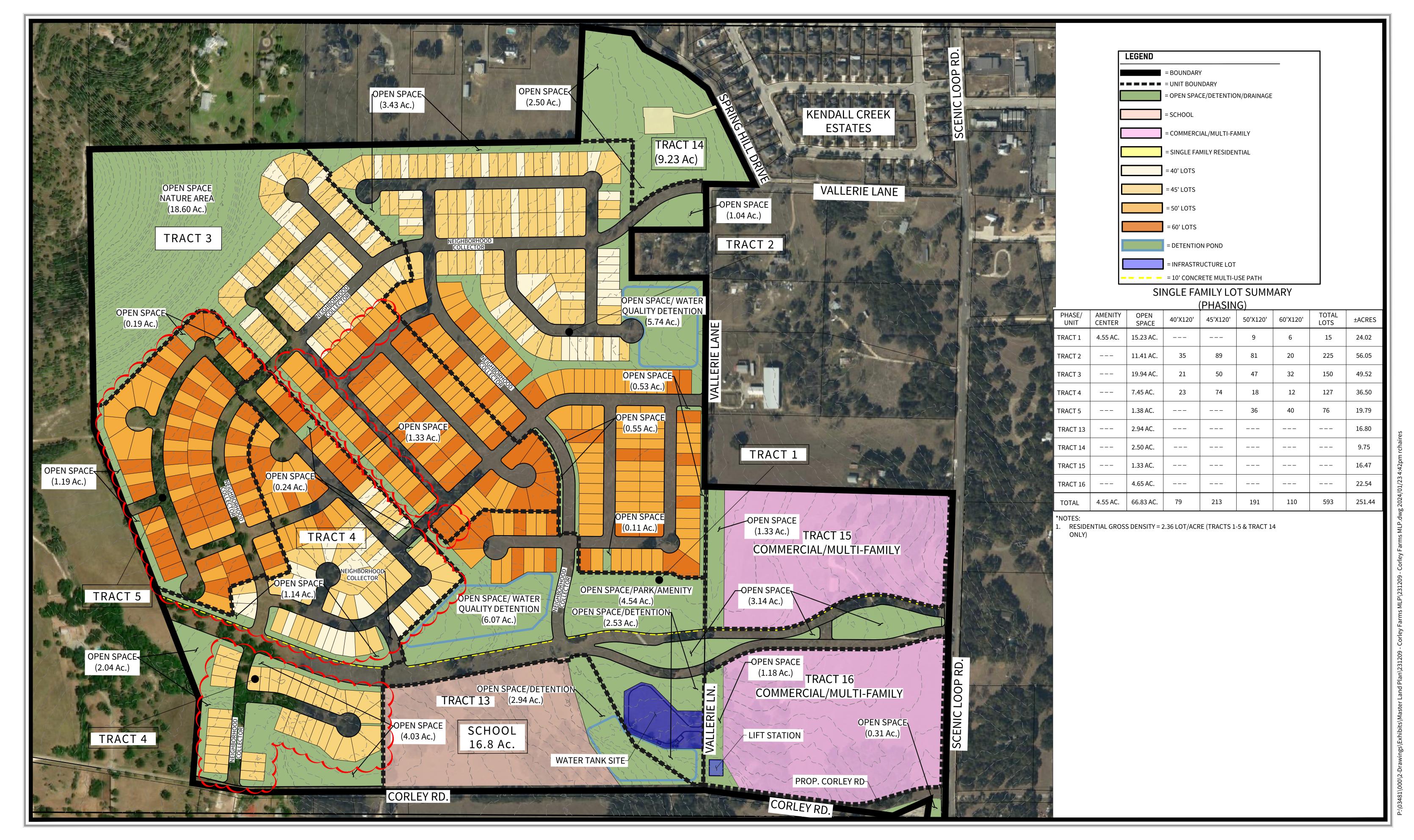
Corley Farms Unit 4

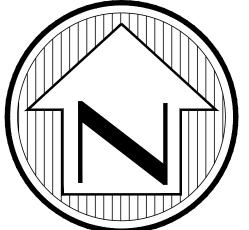
Legend



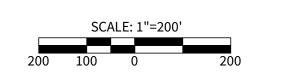
# **Corley Farms U4 – Floodplains and Drainage Protection Zones**



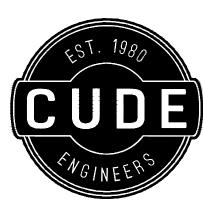




# CORLEY FARMS / MASTER LAND PLAN



CUDE ENGINEERS
4122 Pond Hill Road, Suite 101
San Antonio, Texas 78231
P:(210) 681.2951 F:(210) 523.7112



# WATER CONTROL IMPROVEMENT DISTRICT #3A NOTES

- THIS PLAT SHALL COMPLY WITH THE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF BOERNE AND WATER CONTROL IMPROVEMENT DISTRICT #3A DATED NOVEMBER 26, 2019. THIS PLAT HAS BEEN REVIEWED BY BOTH THE DISTRICT AND THE CITY OF BOERNE FOR COMPLIANCE WITH SAID
- THIS PLAT SHALL COMPLY WITH THE INTERLOCAL AGREEMENT BETWEEN SAN ANTONIO WATER SYSTEM AND WATER CONTROL IMPROVEMENT
- DISTRICT #3A DATED AUGUST 8, 2018. THIS PLAT HAS BEEN REVIEWED BY BOTH THE DISTRICT AND SAWS FOR COMPLIANCE WITH SAID AGREEMENT. THE DEVELOPER DEDICATED THE STREET AND DRAINAGE IMPROVEMENTS TO WATER CONTROL IMPROVEMENT DISTRICT #3A. UPON COMPLETION AND ACCEPTANCE OF THE INFRASTRUCTURE. WATER CONTROL IMPROVEMENT DISTRICT #3A WILL OWN AND MAINTAIN SAID INFRASTRUCTURES,
- WHICH ARE LOCATED WITHIN THE LIMITS OF THIS PLAT. SEWER PAYMENT IN LIEU OF IMPACT FEES HAVE BEEN PAID IN ACCORDANCE WITH THE SCHEDULED PAYMENTS OUTLINED IN SECTION 4.4 OF THE DEVELOPMENT AGREEMENT
- GAS SERVICE CONNECTION FEES TO THE CITY OF BOERNE HAVE NOT BEEN PAID AT THIS TIME.
- WATER CONTROL IMPROVEMENT DISTRICT #3A WILL BE RESPONSIBLE FOR REVIEW, APPROVAL, IMPLEMENTATION, & ENFORCEMENT OF THE APPLICABLE CITY OF SAN ANTONIO TREE PRESERVATION PLAN IN ACCORDANCE WITH DEVELOPMENT AGREEMENT.
- THE DEVELOPER DEDICATED THE SANITARY SEWER AND WATER MAINS TO WATER CONTROL IMPROVEMENT DISTRICT #3A UPON COMPLETION AND ACCEPTANCE OF THE SYSTEMS. WATER CONTROL IMPROVEMENT DISTRICT #3A WILL OWN AND MAINTAIN SAID SANITARY SEWER AND WATER MAINS WHICH ARE LOCATED WITHIN THIS PARTICULAR PLAT. NO WELLS OR ONSITE SEWER FACILITIES ARE PROPOSED WITH THE CORLEY FARMS

### MISCELLANEOUS NOTES:

- RESIDENTIAL FINISHED FLOORS MUST BE A MINIMUM OF EIGHT INCHES ABOVE FINISHED ADJACENT GRADE.
- GATES ACROSS EASEMENT: DOUBLE SWING GATES WITH A MINIMUM CLEAR OPENING OF 12 FEET WIDE SHALL BE INSTALLED WHEREVER FENCES CROSS UTILITY AND DRAINAGE EASEMENTS.
- OBSTRUCTIONS OF DRAINAGE: ADEQUATE STRUCTURES SHALL BE PROVIDED TO ALLOW THE UNHINDERED PASSAGE OF ALL STORM AND DRAINAGE FLOWS WHEREVER FENCES CROSS DRAINAGE EASEMENTS.
- RESIDENTIAL LOTS IN EXCESS OF 12,500 SQUARE FEET SHALL ONLY IRRIGATE THE AREA THAT LIES WITHIN 75 FEET OF THE MAIN RESIDENCE. TURF GRASSES SHALL BE LIMITED TO ZOYSIA, BUFFALO OR BERMUDA GRASSES OR OTHER GRASSES APPROVED BY THE CITY MANAGER OR HIS OR HER DESIGNATED REPRESENTATIVE (ORD. NO. 2004-20). XERISCAPING IS PERMITTED AS DESCRIBED IN THE CITY OF BOERNE ZONING ORDINANCE, ARTICLE
- THIS PROPERTY IS SUBJECT TO COMPLIANCE WITH CHAPTER 34, ARTICLE VI, DIVISION 6 OF THE SAN ANTONIO CITY CODE, AS A CATEGORY 2 PROPERTY AS DEFINED BY THE AQUIFER PROTECTION ORDINANCE (ORDINANCE NO. 81491) AND REQUIRED BY THE SAN ANTONIO WATER SYSTEM AND KENDALL COUNTY WATER CONTROL IMPROVEMENT DISTRICT NO. 3 INTERLOCAL AGREEMENT EFFECTIVE AUGUST 8, 2018. WCID #3 HAS AN ESTIMATED, BLENDED AND ALLOWABLE IMPERVIOUS COVER OF 504.00 ACRES. THIS PLAT CREATES AN ESTIMATED 20.22 ACRES OF IMPERVIOUS COVER, FOR A TOTAL OF 72.56 ACRES OF IMPERVIOUS COVER WITHIN  $\overline{\text{WCID }\#}3$ .

LOT SETBACKS ARE DETERMINED BY THE CITY OF BOERNE ZONING ORDINANCE ENFORCED AT THE TIME OF DEVELOPMENT. THE USE THAT IS BEING CONSTRUCTED AND THE LOT SIZE SHALL DETERMINE WHICH SETBACK SHALL APPLY.

HERITAGE LEGACY TREE: THERE ARE 56 HERITAGE LEGACY TREES, AS DEFINED IN SUB SECTION 2.02.002, IDENTIFIED ON THIS PLAT.

AT SUCH TIME AS A LOT IS DEVELOPED, A FOUR-FOOT WIDE REINFORCED CONCRETE SIDEWALKS SHALL BE INSTALLED ADJACENT TO ALL PROPERTY LINES OF EACH LOT WHERE THE LOT ABUTS PUBLIC OR PRIVATE STREET.

TAX CERTIFICATE AFFIDAVIT FILED THIS DATE IN DOCUMENT #\_\_ , KENDALL COUNTY OFFICIAL RECORDS.

- THIS SUBDIVISION CONTAINS 35.89 TOTAL ACRES WITH 127 RESIDENTIAL LOTS FOR A DENSITY OF 3.54 RESIDENTIAL LOTS PER ACRE.
- NO PART OF THIS SUBDIVISION PLAT IS LOCATED UPSTREAM FROM A CITY WATER SUPPLY LAKE.
- BASIS OF BEARING IS THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204), NAD 83 (2011).
- ALL PROPERTY CORNERS SHOWN HEREON ARE SET 1/2" REBAR WITH PLASTIC SURVEYOR'S CAP STAMPED "CUDE" UNLESS OTHERWISE NOTED.
- THE TOPOGRAPHICAL INFORMATION IS BASED ON VERTICAL DATUM NAVD 88
- THE AREA OF RIGHT-OF-WAY (ROW) IN THIS SUBDIVISION IS 9.35 ACRES. THE AREA OF OPEN SPACE REQUIRED FOR THE CORLEY FARMS SUBDIVISION IS 65.44 ACRES. THIS SUBDIVISION PLAT CONTAINS 7.50 ACRES OF
- COMMUNITY OPEN SPACE FOR A TOTAL (UNITS 1-4) OF 50.81 ACRES WITHIN THE SUBDIVISION. 8. THIS PLAT CONTAINS 38.16 TOTAL ACRES. THE UNIT 4 BOUNDARY IS 35.89 ACRES AND HAS A COMBINED AREA OF 2.21 ACRES FOR ALL OFF-SITE
- THE AREA OF THE SMALLEST LOT IS 0.110 ACRES (LOT 9, BLOCK 50).
- 10. THE PERIMETER OF BLOCK 48 IS  $180\overline{2.92}$  L.F., BEING THE LARGEST BLOCK. THE PERIMETER OF BLOCK 46 IS 378.16 L.F., BEING THE SMALLEST BLOCK.
- 11. THE AREA OF OPEN SPACE REQUIRED IS 7.17 ACRES (20.00%). THIS SUBDIVISION CONTAINS 7.50 ACRES OF COMMUNITY OPEN SPACE OF WHICH 7.22 ACRES COUNT TOWARD MEETING OPEN SPACE REQUIREMENTS.
- 12. KENDALL COUNTY WILL MAINTAIN INFRASTRUCTURE LOCATED WITHIN SCENIC LOOP AND CORLEY ROAD RIGHT-OF-WAY.
- 13. WATER AND SEWER ARE PROVIDED BY WCID #3A. NO ON-SITE WELLS OR SEWERAGE FACILITIES EXIST ON SIRE AND NONE ARE PROPOSED WITH THE CORLEY FARMS SUBDIVISION.

# **EASEMENT NOTES**

ALL PROPERTIES DESIGNATED AS EASEMENTS SHALL OR MAY BE UTILIZED FOR THE FOLLOWING PURPOSES:

DRAINAGE, WATER DIVERSION AND SANITARY CONTROL, INCLUDING WITHOUT LIMITATION, WALLS, BEDS, EMBANKMENTS, SPILLWAYS, APPURTENANCES AND OTHER ENGINEERED DEVICES (THE "DRAINAGE SYSTEM").

TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER PASSABLE AREAS OF THE GRANTOR'S ADJACENT LAND, WHEN THE DELINEATED ENTRANCE POINT THAT ABUTS PUBLIC RIGHT-OF-WAY IS OBSTRUCTED AND/OR INACCESSIBLE, EITHER IN WHOLE OR IN PART, IN ORDER TO ACCESS OR LEAVE THE EASEMENT FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, OPERATING, MAINTAINING, REPAIRING AND REMOVING THE DRAINAGE SYSTEM; THE RIGHT TO CHANGE THE SIZE OF THE DRAINAGE SYSTEM WITHIN THE EASEMENT; THE RIGHT TO RELOCATE ALONG THE SAME GENERAL DIRECTION OF THE DRAINAGE SYSTEM; THE RIGHT TO CREATE AND/OR DREDGE A STREAM COURSE, REFILL OR DIG OUT SUCH STREAM COURSE, ESTABLISH OR CHANGE STREAM EMBANKMENTS WITHIN THE EASEMENT, INSTALL STORM SEWER SYSTEMS, CULVERTS, WATER GAPS AND PROTECTING RAILS; THE RIGHT TO REMOVE FROM THE EASEMENT ALL TREES AND PARTS THEREOF, OR OTHER OBSTRUCTIONS, WHICH REASONABLY ENDANGER OR MAY REASONABLY INTERFERE WITH THE EFFICIENCY OF THE DRAINAGE SYSTEM; AND THE RIGHT TO PLACE TEMPORARY STRUCTURES FOR USE IN CONSTRUCTING OR REPAIRING THE DRAINAGE SYSTEM.

WITH RESPECT TO THE DRAINAGE SYSTEM, IT IS EXPRESSLY AGREED AND UNDERSTOOD BY ALL PARTIES HERETO, THAT THE INTENTION IS TO IMPROVE CONDITIONS OF SANITATION AND WATER DRAINAGE CONTROL ON THE PROPERTY FOR THE BENEFIT OF THE PROPERTY, ADJACENT PROPERTY AND THE COMMUNITY, BUT THE CITY DOES NOT GUARANTEE OR WARRANT THAT SUCH CONTROL WORK WILL BE EFFECTIVE, NOR DOES THE CITY ASSUME ANY ADDITIONAL LIABILITY WHATSOEVER FOR THE EFFECTS OF FLOOD, STANDING WATER OR 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 CHANGED BY THE CITY

- 1. THE GRANTOR SPECIFICALLY RESERVES THE RIGHT TO USE ALL OR ANY PART OF THE EASEMENT FOR ANY PURPOSE, WHICH DOES NOT DAMAGE, DESTROY, INJURE, AND/OR UNREASONABLY INTERFERE WITH THE GRANTEE'S USE OF THE EASEMENT
- 2. THE GRANTEE SHALL MAKE COMMERCIALLY REASONABLE EFFORTS TO ENSURE THE DAMAGE TO THE PROPERTY IS MINIMIZED AND WILL AT ALL TIMES, AFTER DOING ANY WORK IN CONNECTION WITH THE DRAINAGE SYSTEM, RESTORE THE PROPERTY TO THE CONDITION IN WHICH THE PROPERTY WAS FOUND BEFORE SUCH WORK WAS UNDERTAKEN TO THE EXTENT THAT SUCH RESTORATION IS REASONABLE IN ACCORDANCE WITH THE GRANTEE'S
- 3. THE GRANTEE SHALL MAKE NECESSARY MODIFICATIONS AND IMPROVEMENTS TO CONFORM WITH THE CITY OF BOERNE DRAINAGE POLICY AND PLAN AT SUCH A TIME AS THE SAID PLAN AND POLICY ARE ENACTED BY CITY COUNCIL OF THE CITY OF BOERNE, TEXAS.

UTILITIES, INCLUDING WITHOUT LIMITATION, SEWER, WATER, GAS, ELECTRICITY, AND COMMUNICATION FACILITIES, WITH ALL NECESSARY AND/OR DESIRABLE LINES, LATERALS AND/OR APPURTENANCES THERETO (THE "UTILITIES").

TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER PASSABLE AREAS OF THE GRANTOR'S ADJACENT LAND, WHEN THE DELINEATED ENTRANCE POINT THAT ABUTS PUBLIC RIGHT-OF-WAY IS OBSTRUCTED AND/OR INACCESSIBLE, EITHER IN WHOLE OR IN PART, IN ORDER TO ACCESS OR LEAVE THE EASEMENT FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, OPERATING, MAINTAINING, REPAIRING AND REMOVING THE UTILITIES: THE RIGHT TO PLACE NEW OR ADDITIONAL UTILITIES IN THE EASEMENT AND TO CHANGE THE SIZE OF THE UTILITIES WITHIN THE EASEMENT: THE RIGHT TO RELOCATE ALONG THE SAME GENERAL DIRECTION OF THE UTILITIES: THE RIGHT TO REMOVE FROM THE EASEMENT. ALL TREES AND PARTS THEREOF OR OTHER OBSTRUCTIONS, WHICH REASONABLY ENDANGER OR MAY REASONABLY INTERFERE WITH THE EFFICIENCY OR OPERATION OF THE UTILITIES; AND THE RIGHT TO PLACE TEMPORARY STRUCTURES FOR USE IN CONSTRUCTING OR REPAIRING THE UTILITIES.

- 1. THE PROPERTY OWNER RETAINS THE RIGHT TO USE ALL OR ANY PART OF THE EASEMENT FOR ANY PURPOSE WHICH DOES NOT DAMAGE, DESTROY, INJURE AND/OR UNREASONABLY INTERFERE WITH THE USE OF THE EASEMENT. HOWEVER, THE EASEMENT SHALL BE KEPT CLEAR OF ALL STRUCTURES OR OTHER IMPROVEMENTS.
- 2. THE CITY SHALL MAKE COMMERCIALLY REASONABLE EFFORTS TO ENSURE THAT DAMAGE TO THE PROPERTY IS MINIMIZED AND THE CITY WILL AT ALL TIMES, AFTER DOING ANY WORK IN CONNECTION WITH THE UTILITIES, RESTORE THE PROPERTY TO THE CONDITION IN WHICH THE PROPERTY WAS FOUND BEFORE SUCH WORK WAS UNDERTAKEN TO THE EXTENT THAT SUCH RESTORATION IS REASONABLE IN ACCORDANCE WITH THE CITY'S USUAL AND CUSTOMARY PRACTICES.

# BANDERA ELECTRIC COOPERATIVE NOTES:

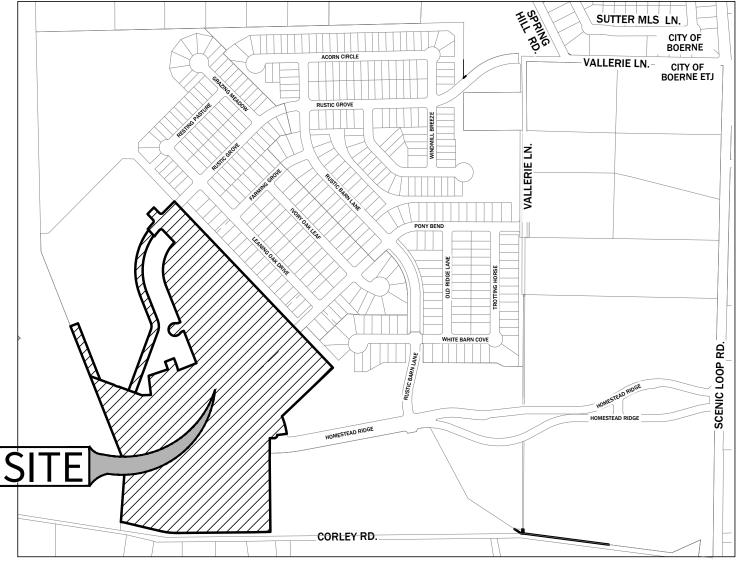
IT IS UNDERSTOOD AND AGREED THAT PERPETUAL EASEMENTS ARE RESERVED FOR THE INSTALLATION AND MAINTENANCE OF UTILITIES AND ALL NECESSARY APPURTENANCES THERETO, WHETHER INSTALLED IN THE AIR, UPON THE SURFACE OR UNDERGROUND, ALONG AND WITHIN TEN (10) FEET OF THE REAR, FRONT, AND SIDE LINES OF ALL LOTS AND/OR TRACTS AND IN THE STREETS, ALLEYS, LANES, AND ROADS OF THIS SUBDIVISION, AND TEN (10) FEET ALONG THE OUTER BOUNDARIES OF ALL STREETS, ALLEYS, BOULEVARDS, LANES AND ROADS WHERE SUBDIVISION LINES OR LOTS OF INDIVIDUAL TRACTS ARE DEEDED TO THE CENTER LINE OF THE ROADWAY NOTHING SHALL BE PLACED OR PERMITTED TO REMAIN WITHIN THE FASEMENT AREAS WHICH MAY DAMAGE OR INTERFERE WITH THE INSTALLATION AND MAINTENANCE OF UTILITIES. THE EASEMENT AREA OF EACH LOT AND ALL IMPROVEMENTS WITHIN IT SHALL BE MAINTAINED BY THE OWNER OF THE LOT, EXCEPT FOR THOSE FACILITIES FOR WHICH AN AUTHORITY OR UTILITY COMPANY IS RESPONSIBLE. UTILITY COMPANIES OR THEIR EMPLOYEES SHALL HAVE ALL OF THE RIGHTS AND BENEFITS NECESSARY OR CONVENIENT FOR THE FULL ENJOYMENT OF THE RIGHTS HEREIN GRANTED, INCLUDING BUT NOT LIMITED TO THE FREE RIGHT OF INGRESS TO AND EGRESS FROM THE RIGHT-OF-WAY AND EASEMENT, THE RIGHT TO CLEAR THE EASEMENT AREA AND TO KEEP IT CLEAR OF ALL BRUSH, TREES, STRUCTURES, AND OTHER OBSTRUCTIONS, INCLUDING THE RIGHT TO CUT ALL WEAK, LEANING, OR DANGEROUS TREES LOCATED OUTSIDE THE EASEMENT AREA WHICH ARE TALL ENOUGH TO STRIKE THE ELECTRIC FACILITIES IN FALLING. THE EASEMENT RIGHTS HEREIN RESERVED INCLUDE THE PRIVILEGE OF CLEARING A RIGHT-OF-WAY FOR AND ANCHORING OF ANY SUPPORT CABLES OR OTHER DEVICES OUTSIDE SAID EASEMENT WHEN DEEMED NECESSARY BY THE UTILITY TO SUPPORT EQUIPMENT WITHIN SAID EASEMENT AND THE RIGHT TO INSTALL WIRES AND/OR CABLES OVER SOME PORTIONS OF SAID LOTS AND/OR TRACTS NOT WITHIN SAID EASEMENT SO LONG AS SUCH ITEMS DO NOT PREVENT THE CONSTRUCTION OF BUILDINGS ON ANY OF THE LOTS AND/OR TRACTS OF THIS SUBDIVISION. UTILITIES SHALL HAVE THE RIGHT TO INSTALL AND MAINTAIN LOCKS IN GATES AS NECESSARY OR APPROPRIATE FOR THE RIGHT OF INGRESS TO AND EGRESS FROM THE EASEMENT AREA. THE FOREGOING NOTWITHSTANDING, THE UTILITY MAY RELOCATE ITS FACILITIES AND RIGHT-OF-WAY OVER THE PREMISES TO CONFORM TO ANY FUTURE HIGHWAY OR STREET RELOCATION, WIDENING, OR IMPROVEMENT

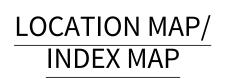
# A FINAL PLAT ESTABLISHING **CORLEY FARMS UNIT 4**

38.16 ACRES OF LAND LOCATED IN THE ANTONIO CRUZ SURVEY, NUMBER 170, ABSTRACT NUMBER 97, KENDALL COUNTY, TEXAS AND BEING A PORTION OF THAT CERTAIN 212.337 ACRES OF LAND CONVEYED TO BOERNEBAK II, LLC AS DESCRIBED IN VOLUME 1630, PAGE 731, ALL IN THE OFFICIAL RECORDS OF KENDALL COUNTY, TEXAS.

127 RESIDENTIAL LOTS (18.99 Ac.) / 7 OPEN SPACE LOTS (7.50 Ac.) 6,173 L.F. OF NEW STREET (9.35 Ac.)

# 09/05/2024





	1" = 600'	·
STATE OF TEXAS COUNTY OF KENDALL		
l,	, COUNTY CLERK OF SAID	COUNTY, DO HEREBY CERTIFY
THAT THE FOREGOING INSTRUMENT	OF WRITING WITH THIS CER	TIFICATE OF AUTHENTICATION
WAS FILED FOR RECORD IN MY OFFIC	E THIS DAY	
OF	A.D. 2024 AT	_ M. IN THE PLAT RECORDS OF

SAID COUNTY IN TAX CERTIFICATE AFFIDAVIT FILED THIS DATE IN \_\_\_\_\_ KENDALL COUNTY OFFICIAL RECORDS. IN TESTIMONY WHEREOF, WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE, THIS \_\_\_\_\_ DAY OF \_\_\_\_

COUNTY CLERK KENDALL COUNTY, TEXAS

	CORLEY FARMS UNIT 4 G & ZONING COMMISSION ED BY SUCH COMMISSION	OF THE CITY OF BOERNE, TEXAS, AND IS
DATED THIS	DAY OF	, A.D., 2024.
	ВУ	:CHAIR
	ВУ	/: SECRETARY

STATE OF TEXAS

COUNTY OF BEXAR

HEREB	Y CERT	IFY THA	T PROP	ER EN	IGINEE	RING	CONSI	DERATI	ON HA	S BEEN	I GIVEN	I IN TH	HIS PL	AT TO	THE N	MATTER	RS OF	STR	EETS,	L
AND DF	RAINAGE	<b>LAYOU</b>	T. TO	THE	BEST (	OF MY	KNO	WLEDGI	E THIS	PLAT	CONFO	DRMS	TO AL	L REQ	UIREN	<b>IENTS</b>	OF T	HE S	SUBDIN	/
ORDINA	NCF FX	CFPT FO	OR THO	SF VAF	RIANCE	S GRA	NTFD	BY THE	PLANI	JING &	70NIN	G COM	MISSIG	N OF	THF C	ITY OF	BOFR	NF		

0.10.11.11.10.2, 2.10.2		
	M.W. CUDE ENGINEERS, L.L.C.	
	ANDREW R. LOWRY, P.E.	
	REGISTERED PROFESSIONAL ENGINEER NO. 122076	
SWORN TO AND SUBSCRIBED BEFORE ME. THIS THE	DAY OF	. A.D., 2024.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

STATE OF TEXAS COUNTY OF BEXAR

I HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY FROM THE PROPERTY MADE

I THE GROUND UNDER MY SC	JPERVISION.	
	7	
		M.W. CUDE ENGINEERS, L.L.C.
		YURI V. BALMACEDA WHEELOCK, R.P.L.S.
		REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6815

NOTABY BUBLIC IN AND FOR THE STATE OF TEVAS

DAY OF

NOTART FUBLIC IN AND FOR THE STATE OF TEXAS

, A.D., 2024.

THE OWNER OF LAND SHOWN ON THIS PLAT, IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, DEDICATES TO THE USE OF THE PUBLIC, FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN

PULTE HOMES OF TEXAS, LP A TEXAS LIMITED PARTNERSHIP 1718 DRY CREEK WAY, STE. 120 SAN ANTONIO, TX 78259 PHONE: (210) 496-1985 CONTACT PERSON: TREY ROGERS BY PULTE NEVADA | L.L.C. A DELAWARE LIMITED LIABILITY COMPANY

BOEDNE BACK II II C

SWORN TO AND SUBSCRIBED BEFORE ME. THIS THE

ITS GENERAL PARTNER DULY AUTHORIZED AGENT STATE OF TEXAS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSOI KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN E	TO THE FOREGOING INSTRUMENT, A	,
GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS	DAY OF	, A.D., 2024.

	NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
STATE OF TEXAS COUNTY OF	

THE OWNER OF LAND SHOWN ON THIS PLAT, IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, DEDICATES TO THE USE OF THE PUBLIC, FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND

207 ROOSEVELT AVE. SAN ANTONIO, TX 78210	OWNER	DULY AUTHORIZED AGENT
STATE OF TEXAS COUNTY OF		
RECODE ME THE LINDEDSIGNED ALITHODITY	ON THIS DAY DEDSONALLY ADDEADED	

KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED. GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS DAY OF

	$\neg$	 - —	 _	 	 	_	
NOTARY PUBLIC IN AND FOR THE STATE OF T							

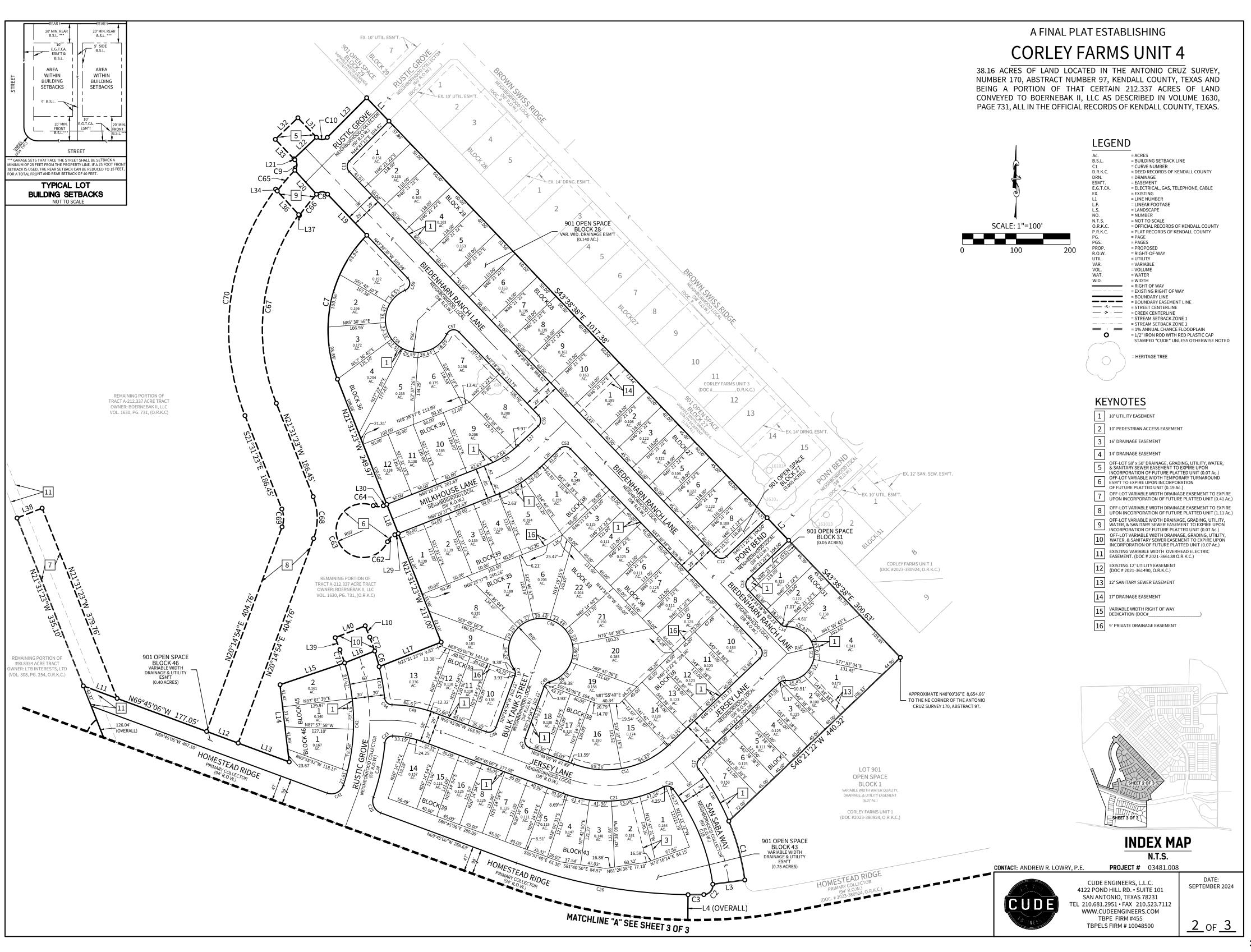
CONTACT: ANDREW R. LOWRY, P.E.

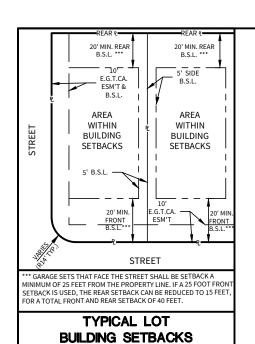
CUDE ENGINEERS, L.L.C. 4122 POND HILL RD. • SUITE 101 SAN ANTONIO, TEXAS 78231 TEL 210.681.2951 • FAX 210.523.7112 WWW.CUDEENGINEERS.COM TBPE FIRM #455

**PROJECT #** 03481.008

TBPELS FIRM # 10048500 1 of 3

SEPTEMBER 2024





CURVE TABLE									
CURVE	RADIUS	DELTA	LENGTH	CHORD BEARING	CHORD				
C1	430.00'	15°07'43"	113.54'	N15°11'37"W	113.21'				
C2	17.00'	96°33'45"	28.65'	N40°39'01"E	25.38'				
С3	953.00'	1°45'50"	29.34'	N89°48'42"E	29.34'				
C4	344.00'	13°42'26"	82.30'	S83°42'11"E	82.10'				
C5	428.00'	4°43'45"	35.33'	N79°12'51"W	35.32'				
C6	430.00'	4°00'31"	30.09'	N15°52'49"W	30.08'				
C7	250.00'	66°05'36"	288.39'	S11°31'25"W	272.66'				
C8	14.00'	93°30'34"	22.85'	S89°36'05"W	20.40'				
C9	14.00'	87°11'12"	21.30'	N00°03'02"W	19.31'				
C10	14.00'	91°34'10"	22.37'	S89°25'43"E	20.07'				
C11	14.00'	88°25'50"	21.61'	S00°34'17"W	19.53'				
C12	14.00'	90°00'00"	21.99'	S88°38'38"E	19.80'				
C13	14.00'	90°00'00"	21.99'	S01°21'22"W	19.80'				
C14	14.00'	47°47'17"	11.68'	S67°32'16"E	11.34'				
C15	50.00'	185°34'34"	161.95'	N01°21'22"E	99.88'				
C16	14.00'	47°47'17"	11.68'	S70°15'01"W	11.34'				
C17	14.00'	84°00'52"	20.53'	S04°20'56"W	18.74'				
C18	430.00'	14°54'02"	111.83'	S30°12'29"E	111.51'				
C19	370.00'	30°02'05"	193.96'	N22°38'48"W	191.74'				
C20	14.00'	80°09'10"	19.58'	N77°44'26"W	18.03'				
C21	229.00'	48°03'55"	192.11'	N86°12'57"E	186.52'				
C22	172.00'	19°07'59"	57.44'	N79°19'05"W	57.17'				
C23	14.00'	85°59'09"	21.01'	S48°07'21"W	19.09'				
C24	430.00'	13°47'11"	103.47'	N12°01'23"E	103.22'				
C25	23.00'	88°40'04"	35.59'	S25°25'04"E	32.15'				

TO BALCONES CREEK & SETBACK ZONE 1

UNNAMED TRIBUTARY

TO BALCONES CREEK & -

390.8354 ACRE TRACT

OWNER: LTB INTERESTS, LTD

(VOL. 308, PG. 254, O.R.K.C.)

LOT 901 OPEN SPACE BLOCK 49 VARIABLE WIDTH DRAINAGE & UTILITY EASEMENT (2.04 AC.)

APPROXIMATE N48°57'30"E 10.286.26'

CRUZ SURVEY 170, ABSTRACT 97.

TO THE NE CORNER OF THE ANTONIO -

CORLEY RD.

RURAL LOCAL ROADWAY

( VARIABLE WIDTH R.O.W.)

(COUNTY MAINTENANCE ACCEPTANCE

PER COMMISSIONERS COURT MINUTES

DATED 05/11/1992)

RIGHT OF WAY DEDICATION

(DOC #: 2022-368084, O.R.K.C.)

(VOL. 1455, PG. 283, O.R.K.C.)

CURVE         RADIUS         DELTA         LENGTH         CHORD BEARING         CHORD           C26         953.00'         19°33'18"         325.26'         \$79°31'45"E         323.68'           C27         1047.00'         19°34'30"         357.71'         \$79°32'21"E         355.97'           C28         23.00'         90°00'00"         36.13'         \$65°14'54"W         32.53'           C29         470.00'         15°54'42"         130.52'         \$12°17'33"W         130.10'           C30         14.00'         90°10'39"         22.03'         \$40°45'07"E         19.83'           C31         230.00'         16°05'21"         64.59'         N77°47'46"W         64.37'           C32         14.00'         54°28'24"         13.31'         N83°00'42"E         12.81'           C33         60.00'         288°56'48"         302.58'         N20°14'54"E         69.73'           C34         14.00'         54°28'24"         13.31'         N42°30'54"W         12.81'           C35         172.00'         16°05'21"         48.30'         N77°47'46"W         48.14'           C36         14.00'         90°00'00"         21.99'         \$49°09'33"W         19.80'	CURVE TABLE											
C27         1047.00'         19°34'30"         357.71'         \$79°32'21"E         355.97'           C28         23.00'         90°00'00"         36.13'         \$65°14'54"W         32.53'           C29         470.00'         15°54'42"         130.52'         \$12°17'33"W         130.10'           C30         14.00'         90°10'39"         22.03'         \$40°45'07"E         19.83'           C31         230.00'         16°05'21"         64.59'         N77°47'46"W         64.37'           C32         14.00'         54°28'24"         13.31'         N83°00'42"E         12.81'           C33         60.00'         288°56'48"         302.58'         N20°14'54"E         69.73'           C34         14.00'         54°28'24"         13.31'         N42°30'54"W         12.81'           C35         172.00'         16°05'21"         48.30'         N77°47'46"W         48.14'           C36         14.00'         90°00'00"         21.99'         \$49°09'33"W         19.80'           C37         372.00'         13°51'22"         89.96'         \$83°37'44"E         89.74'           C38         428.00'         4°41'40"         35.07'         \$79°02'53"E         35.06'	CURVE	RADIUS	DELTA	LENGTH	CHORD BEARING	CHORD						
C28         23.00'         90°00'00"         36.13'         S65°14'54"W         32.53'           C29         470.00'         15°54'42"         130.52'         S12°17'33"W         130.10'           C30         14.00'         90°10'39"         22.03'         S40°45'07"E         19.83'           C31         230.00'         16°05'21"         64.59'         N77°47'46"W         64.37'           C32         14.00'         54°28'24"         13.31'         N83°00'42"E         12.81'           C33         60.00'         288°56'48"         302.58'         N20°14'54"E         69.73'           C34         14.00'         54°28'24"         13.31'         N42°30'54"W         12.81'           C35         172.00'         16°05'21"         48.30'         N77°47'46"W         48.14'           C36         14.00'         90°00'00"         21.99'         S49°09'33"W         19.80'           C37         372.00'         13°51'22"         89.96'         S83°37'44"E         89.74'           C38         428.00'         4°41'40"         35.07'         S79°02'53"E         35.06'           C39         530.00'         16°05'21"         148.83'         S12°12'14"W         148.34'	C26	953.00'	19°33'18"	325.26'	S79°31'45"E	323.68'						
C29         470.00¹         15°54'42"         130.52¹         S12°17'33"W         130.10¹           C30         14.00¹         90°10'39"         22.03¹         S40°45'07"E         19.83¹           C31         230.00¹         16°05'21"         64.59¹         N77°47'46"W         64.37¹           C32         14.00¹         54°28'24"         13.31¹         N83°00'42"E         12.81¹           C33         60.00¹         288°56'48"         302.58¹         N20°14'54"E         69.73¹           C34         14.00¹         54°28'24"         13.31¹         N42°30'54"W         12.81¹           C35         172.00¹         16°05'21"         48.30¹         N77°47'46"W         48.14¹           C36         14.00¹         90°00'00"         21.99¹         S49°09'33"W         19.80¹           C37         372.00¹         13°51'22"         89.96¹         S83°37'44"E         89.74¹           C38         428.00¹         4°41'40"         35.07¹         S79°02'53"E         35.06¹           C39         530.00¹         16°05'21"         148.83¹         S12°12'14"W         148.34¹           C40         23.00¹         90°00'00"         36.13¹         N24°45'06"W         32.53¹	C27	1047.00'	19°34'30"	357.71'	S79°32'21"E	355.97'						
C30         14.00'         90°10'39"         22.03'         S40°45'07"E         19.83'           C31         230.00'         16°05'21"         64.59'         N77°47'46"W         64.37'           C32         14.00'         54°28'24"         13.31'         N83°00'42"E         12.81'           C33         60.00'         288°56'48"         302.58'         N20°14'54"E         69.73'           C34         14.00'         54°28'24"         13.31'         N42°30'54"W         12.81'           C35         172.00'         16°05'21"         48.30'         N77°47'46"W         48.14'           C36         14.00'         90°00'00"         21.99'         S49°09'33"W         19.80'           C37         372.00'         13°51'22"         89.96'         S83°37'44"E         89.74'           C38         428.00'         4°41'40"         35.07'         S79°02'53"E         35.06'           C39         530.00'         16°05'21"         148.83'         S12°12'14"W         148.34'           C40         23.00'         90°00'00"         36.13'         N24°45'06"W         32.53'           C41         23.00'         91°44'21"         36.83'         N64°22'44"E         33.02' <td< td=""><td>C28</td><td>23.00'</td><td>90°00'00"</td><td>36.13'</td><td>S65°14'54"W</td><td>32.53'</td></td<>	C28	23.00'	90°00'00"	36.13'	S65°14'54"W	32.53'						
C31         230.00¹         16°05'21"         64.59¹         N77°47'46"W         64.37¹           C32         14.00¹         54°28'24"         13.31¹         N83°00'42"E         12.81¹           C33         60.00¹         288°56'48"         302.58¹         N20°14'54"E         69.73¹           C34         14.00¹         54°28'24"         13.31¹         N42°30'54"W         12.81¹           C35         172.00¹         16°05'21"         48.30¹         N77°47'46"W         48.14¹           C36         14.00¹         90°00'00"         21.99¹         S49°09'33"W         19.80¹           C37         372.00¹         13°51'22"         89.96¹         S83°37'44"E         89.74¹           C38         428.00¹         4°41'40"         35.07¹         S79°02'53"E         35.06¹           C39         530.00¹         16°05'21"         148.83¹         S12°12'14"W         148.34¹           C40         23.00¹         90°00'00"         36.13¹         N24°45'06"W         32.53¹           C41         23.00¹         91°44'21"         36.83¹         N64°22'44"E         33.02¹           C42         370.00¹         35°48'38"         231.25¹         N00°36'14"E         227.51¹	C29	470.00'	15°54'42"	130.52'	S12°17'33"W	130.10'						
C32         14.00'         54°28'24"         13.31'         N83°00'42"E         12.81'           C33         60.00'         288°56'48"         302.58'         N20°14'54"E         69.73'           C34         14.00'         54°28'24"         13.31'         N42°30'54"W         12.81'           C35         172.00'         16°05'21"         48.30'         N77°47'46"W         48.14'           C36         14.00'         90°00'00"         21.99'         549°09'33"W         19.80'           C37         372.00'         13°51'22"         89.96'         S83°37'44"E         89.74'           C38         428.00'         4°41'40"         35.07'         579°02'53"E         35.06'           C39         530.00'         16°05'21"         148.83'         512°12'14"W         148.34'           C40         23.00'         90°00'00"         36.13'         N24°45'06"W         32.53'           C41         23.00'         91°44'21"         36.83'         N64°22'44"E         33.02'           C42         370.00'         35°48'38"         231.25'         N00°36'14"E         227.51'           C43         430.00'         7°53'16"         59.20'         N09°55'55"W         59.15'           <	C30	14.00'	90°10'39"	22.03'	S40°45'07"E	19.83'						
C33         60.00'         288°56'48"         302.58'         N20°14'54"E         69.73'           C34         14.00'         54°28'24"         13.31'         N42°30'54"W         12.81'           C35         172.00'         16°05'21"         48.30'         N77°47'46"W         48.14'           C36         14.00'         90°00'00"         21.99'         S49°09'33"W         19.80'           C37         372.00'         13°51'22"         89.96'         S83°37'44"E         89.74'           C38         428.00'         4°41'40"         35.07'         S79°02'53"E         35.06'           C39         530.00'         16°05'21"         148.83'         S12°12'14"W         148.34'           C40         23.00'         90°00'00"         36.13'         N24°45'06"W         32.53'           C41         23.00'         91°44'21"         36.83'         N64°22'44"E         33.02'           C42         370.00'         35°48'38"         231.25'         N00°36'14"E         227.51'           C43         430.00'         7°53'16"         59.20'         N09°55'55"W         59.15'           C44         14.00'         83°26'27"         20.39'         S47°42'31"E         18.63'           <	C31	230.00'	16°05'21"	64.59'	N77°47'46"W	64.37'						
C34         14.00'         54°28'24"         13.31'         N42°30'54"W         12.81'           C35         172.00'         16°05'21"         48.30'         N77°47'46"W         48.14'           C36         14.00'         90°00'00"         21.99'         S49°09'33"W         19.80'           C37         372.00'         13°51'22"         89.96'         S83°37'44"E         89.74'           C38         428.00'         4°41'40"         35.07'         S79°02'53"E         35.06'           C39         530.00'         16°05'21"         148.83'         S12°12'14"W         148.34'           C40         23.00'         90°00'00"         36.13'         N24°45'06"W         32.53'           C41         23.00'         91°44'21"         36.83'         N64°22'44"E         33.02'           C42         370.00'         35°48'38"         231.25'         N00°36'14"E         227.51'           C43         430.00'         7°53'16"         59.20'         N09°55'55"W         59.15'           C44         14.00'         83°26'27"         20.39'         S47°42'31"E         18.63'           C45         230.00'         19°40'39"         78.99'         N79°35'25"W         78.60' <t< td=""><td>C32</td><td>14.00'</td><td>54°28'24"</td><td>13.31'</td><td>N83°00'42"E</td><td>12.81'</td></t<>	C32	14.00'	54°28'24"	13.31'	N83°00'42"E	12.81'						
C35         172.00'         16°05'21"         48.30'         N77°47'46"W         48.14'           C36         14.00'         90°00'00"         21.99'         \$49°09'33"W         19.80'           C37         372.00'         13°51'22"         89.96'         \$83°37'44"E         89.74'           C38         428.00'         4°41'40"         35.07'         \$79°02'53"E         35.06'           C39         530.00'         16°05'21"         148.83'         \$12°12'14"W         148.34'           C40         23.00'         90°00'00"         36.13'         N24°45'06"W         32.53'           C41         23.00'         91°44'21"         36.83'         N64°22'44"E         33.02'           C42         370.00'         35°48'38"         231.25'         N00°36'14"E         227.51'           C43         430.00'         7°53'16"         59.20'         N09°55'55"W         59.15'           C44         14.00'         83°26'27"         20.39'         \$47°42'31"E         18.63'           C45         230.00'         19°40'39"         78.99'         N79°35'25"W         78.60'           C46         14.00'         90°00'00"         21.99'         N65°14'54"E         19.80' <t< td=""><td>C33</td><td>60.00'</td><td>288°56'48"</td><td>302.58'</td><td>N20°14'54"E</td><td>69.73'</td></t<>	C33	60.00'	288°56'48"	302.58'	N20°14'54"E	69.73'						
C36         14.00'         90°00'00"         21.99'         S49°09'33"W         19.80'           C37         372.00'         13°51'22"         89.96'         S83°37'44"E         89.74'           C38         428.00'         4°41'40"         35.07'         S79°02'53"E         35.06'           C39         530.00'         16°05'21"         148.83'         S12°12'14"W         148.34'           C40         23.00'         90°00'00"         36.13'         N24°45'06"W         32.53'           C41         23.00'         91°44'21"         36.83'         N64°22'44"E         33.02'           C42         370.00'         35°48'38"         231.25'         N00°36'14"E         227.51'           C43         430.00'         7°53'16"         59.20'         N09°55'55"W         59.15'           C44         14.00'         83°26'27"         20.39'         S47°42'31"E         18.63'           C45         230.00'         19°40'39"         78.99'         N79°35'25"W         78.60'           C46         14.00'         90°00'00"         21.99'         N65°14'54"E         19.80'           C47         14.00'         54°28'24"         13.31'         N06°59'18"W         12.81' <td< td=""><td>C34</td><td>14.00'</td><td>54°28'24"</td><td>13.31'</td><td>N42°30'54"W</td><td>12.81'</td></td<>	C34	14.00'	54°28'24"	13.31'	N42°30'54"W	12.81'						
C37         372.00'         13°51'22"         89.96'         S83°37'44"E         89.74'           C38         428.00'         4°41'40"         35.07'         S79°02'53"E         35.06'           C39         530.00'         16°05'21"         148.83'         S12°12'14"W         148.34'           C40         23.00'         90°00'00"         36.13'         N24°45'06"W         32.53'           C41         23.00'         91°44'21"         36.83'         N64°22'44"E         33.02'           C42         370.00'         35°48'38"         231.25'         N00°36'14"E         227.51'           C43         430.00'         7°53'16"         59.20'         N09°55'55"W         59.15'           C44         14.00'         83°26'27"         20.39'         S47°42'31"E         18.63'           C45         230.00'         19°40'39"         78.99'         N79°35'25"W         78.60'           C46         14.00'         90°00'00"         21.99'         N65°14'54"E         19.80'           C47         14.00'         54°28'24"         13.31'         N06°59'18"W         12.81'           C48         60.00'         288°56'48"         302.58'         N69°45'06"W         69.73'           <	C35	172.00'	16°05'21"	48.30'	N77°47'46"W	48.14'						
C38         428.00'         4°41'40"         35.07'         \$79°02'53"E         35.06'           C39         530.00'         16°05'21"         148.83'         \$12°12'14"W         148.34'           C40         23.00'         90°00'00"         36.13'         N24°45'06"W         32.53'           C41         23.00'         91°44'21"         36.83'         N64°22'44"E         33.02'           C42         370.00'         35°48'38"         231.25'         N00°36'14"E         227.51'           C43         430.00'         7°53'16"         59.20'         N09°55'55"W         59.15'           C44         14.00'         83°26'27"         20.39'         \$47°42'31"E         18.63'           C45         230.00'         19°40'39"         78.99'         N79°35'25"W         78.60'           C46         14.00'         90°00'00"         21.99'         N65°14'54"E         19.80'           C47         14.00'         54°28'24"         13.31'         N06°59'18"W         12.81'           C48         60.00'         288°56'48"         302.58'         N69°45'06"W         69.73'           C49         14.00'         54°28'24"         13.31'         \$47°29'06"W         12.81'	C36	14.00'	90°00'00"	21.99'	S49°09'33"W	19.80'						
C39         530.00¹         16°05′21"         148.83¹         S12°12′14″W         148.34¹           C40         23.00¹         90°00′00"         36.13¹         N24°45′06″W         32.53¹           C41         23.00¹         91°44′21″         36.83¹         N64°22′44″E         33.02¹           C42         370.00¹         35°48′38″         231.25¹         N00°36′14″E         227.51¹           C43         430.00¹         7°53′16″         59.20¹         N09°55′55″W         59.15¹           C44         14.00¹         83°26′27″         20.39¹         S47°42′31″E         18.63¹           C45         230.00¹         19°40′39″         78.99¹         N79°35′25″W         78.60¹           C46         14.00¹         90°00′00″         21.99¹         N65°14′54″E         19.80¹           C47         14.00¹         54°28′24″         13.31¹         N06°59′18″W         12.81¹           C48         60.00¹         288°56′48″         302.58¹         N69°45′06″W         69.73¹           C49         14.00¹         54°28′24″         13.31¹         S47°29′06″W         12.81¹	C37	372.00'	13°51'22"	89.96'	S83°37'44"E	89.74'						
C40         23.00'         90°00'00"         36.13'         N24°45'06"W         32.53'           C41         23.00'         91°44'21"         36.83'         N64°22'44"E         33.02'           C42         370.00'         35°48'38"         231.25'         N00°36'14"E         227.51'           C43         430.00'         7°53'16"         59.20'         N09°55'55"W         59.15'           C44         14.00'         83°26'27"         20.39'         S47°42'31"E         18.63'           C45         230.00'         19°40'39"         78.99'         N79°35'25"W         78.60'           C46         14.00'         90°00'00"         21.99'         N65°14'54"E         19.80'           C47         14.00'         54°28'24"         13.31'         N06°59'18"W         12.81'           C48         60.00'         288°56'48"         302.58'         N69°45'06"W         69.73'           C49         14.00'         54°28'24"         13.31'         S47°29'06"W         12.81'	C38	428.00'	4°41'40"	35.07'	S79°02'53"E	35.06'						
C41         23.00'         91°44'21"         36.83'         N64°22'44"E         33.02'           C42         370.00'         35°48'38"         231.25'         N00°36'14"E         227.51'           C43         430.00'         7°53'16"         59.20'         N09°55'55"W         59.15'           C44         14.00'         83°26'27"         20.39'         S47°42'31"E         18.63'           C45         230.00'         19°40'39"         78.99'         N79°35'25"W         78.60'           C46         14.00'         90°00'00"         21.99'         N65°14'54"E         19.80'           C47         14.00'         54°28'24"         13.31'         N06°59'18"W         12.81'           C48         60.00'         288°56'48"         302.58'         N69°45'06"W         69.73'           C49         14.00'         54°28'24"         13.31'         S47°29'06"W         12.81'	C39	530.00'	16°05'21"	148.83'	S12°12'14"W	148.34'						
C42         370.00¹         35°48'38"         231.25¹         N00°36'14"E         227.51¹           C43         430.00¹         7°53'16"         59.20¹         N09°55'55"W         59.15¹           C44         14.00¹         83°26'27"         20.39¹         S47°42'31"E         18.63¹           C45         230.00¹         19°40'39"         78.99¹         N79°35'25"W         78.60¹           C46         14.00¹         90°00'00"         21.99¹         N65°14'54"E         19.80¹           C47         14.00¹         54°28'24"         13.31¹         N06°59'18"W         12.81¹           C48         60.00¹         288°56'48"         302.58¹         N69°45'06"W         69.73¹           C49         14.00¹         54°28'24"         13.31¹         S47°29'06"W         12.81¹	C40	23.00'	90°00'00"	36.13'	N24°45'06"W	32.53'						
C43         430.00¹         7°53¹16"         59.20¹         N09°55'55"W         59.15¹           C44         14.00¹         83°26'27"         20.39¹         \$47°42'31"E         18.63¹           C45         230.00¹         19°40'39"         78.99¹         N79°35'25"W         78.60¹           C46         14.00¹         90°00'00"         21.99¹         N65°14'54"E         19.80¹           C47         14.00¹         54°28'24"         13.31¹         N06°59'18"W         12.81¹           C48         60.00¹         288°56'48"         302.58¹         N69°45'06"W         69.73¹           C49         14.00¹         54°28'24"         13.31¹         \$47°29'06"W         12.81¹	C41	23.00'	91°44'21"	36.83'	N64°22'44"E	33.02'						
C44         14.00'         83°26'27"         20.39'         \$47°42'31"E         18.63'           C45         230.00'         19°40'39"         78.99'         N79°35'25"W         78.60'           C46         14.00'         90°00'00"         21.99'         N65°14'54"E         19.80'           C47         14.00'         54°28'24"         13.31'         N06°59'18"W         12.81'           C48         60.00'         288°56'48"         302.58'         N69°45'06"W         69.73'           C49         14.00'         54°28'24"         13.31'         \$47°29'06"W         12.81'	C42	370.00'	35°48'38"	231.25'	N00°36'14"E	227.51'						
C45         230.00'         19°40'39"         78.99'         N79°35'25"W         78.60'           C46         14.00'         90°00'00"         21.99'         N65°14'54"E         19.80'           C47         14.00'         54°28'24"         13.31'         N06°59'18"W         12.81'           C48         60.00'         288°56'48"         302.58'         N69°45'06"W         69.73'           C49         14.00'         54°28'24"         13.31'         \$47°29'06"W         12.81'	C43	430.00'	7°53'16"	59.20'	N09°55'55"W	59.15'						
C46 14.00' 90°00'00" 21.99' N65°14'54"E 19.80' C47 14.00' 54°28'24" 13.31' N06°59'18"W 12.81' C48 60.00' 288°56'48" 302.58' N69°45'06"W 69.73' C49 14.00' 54°28'24" 13.31' S47°29'06"W 12.81'	C44	14.00'	83°26'27"	20.39'	S47°42'31"E	18.63'						
C47         14.00'         54°28'24"         13.31'         N06°59'18"W         12.81'           C48         60.00'         288°56'48"         302.58'         N69°45'06"W         69.73'           C49         14.00'         54°28'24"         13.31'         \$47°29'06"W         12.81'	C45	230.00'	19°40'39"	78.99'	N79°35'25"W	78.60'						
C48         60.00'         288°56'48"         302.58'         N69°45'06"W         69.73'           C49         14.00'         54°28'24"         13.31'         \$47°29'06"W         12.81'	C46	14.00'	90°00'00"	21.99'	N65°14'54"E	19.80'						
C49 14.00' 54°28'24" 13.31' S47°29'06"W 12.81'	C47	14.00'	54°28'24"	13.31'	N06°59'18"W	12.81'						
	C48	60.00'	288°56'48"	302.58'	N69°45'06"W	69.73'						
C50 14.00' 90°00'00" 21.99' \$24°45'06"E 10.90'	C49	14.00'	54°28'24"	13.31'	S47°29'06"W	12.81'						
C50   14.00   50 00 00   21.55   324 45 00 E   19.80	C50	14.00'	90°00'00"	21.99'	S24°45'06"E	19.80'						

4580

4638

120.00'

0.124 AC.

CORLEY RD.

(VARIABLE WIDTH R.O.W.)

DATED 05/11/1992)

(DOC #: 2022-368084, O.R.K.C.)

MITCHEL & HEIDI GOODALL (VOL. 408, PG. 270, O.R.K.C.)

(COUNTY MAINTENANCE ACCÉPTANCE

N85° 50' 27"W

C37 🌙

0.110 AC.

0.124 AC.

0.124 AC.

0.124 AC. 1

MITCHEL & HEIDI GOODALL

(VOL. 811, PG. 914, O.R.K.C.)

N85° 50' 27"W

CURVE	RADIUS	DELTA	LENGTH	CHORD BEARING	CHORD
C51	171.00'	63°53'32"	190.69'	N78°18'08"E	180.96'
C52	14.00'	90°00'00"	21.99'	N01°21'22"E	19.80'
C53	14.00'	90°00'00"	21.99'	N88°38'38"W	19.80'
C54	229.00'	22°07'15"	88.41'	N57°25'00"E	87.86'
C55	171.00'	22°07'15"	66.02'	N57°25'00"E	65.61'
C56	14.00'	90°00'00"	21.99'	N01°21'22"E	19.80'
C57	14.00'	110°44'00"	27.06'	S80°59'22"W	23.04'
C58	60.00'	221°27'59"	231.92'	S43°38'38"E	112.23'
C59	14.00'	110°44'00"	27.06'	N11°43'22"E	23.04'
C60	350.00'	16°05'21"	98.28'	N77°47'46"W	97.96'
C61	650.00'	16°05'21"	182.53'	S12°12'14"W	181.93'
C62	25.00'	43°56'44"	19.17'	S46°30'15"W	18.71'
C63	50.00'	267°53'28"	233.78'	S21°31'23"E	72.00'
C64	25.00'	43°56'44"	19.17'	S89°33'01"E	18.71'
C65	430.00'	6°43'33"	50.48'	S40°10'48"W	50.45'
C66	370.00'	7°50'35"	50.65'	S38°55'31"W	50.61'
C67	372.00'	56°35'48"	367.46'	S06°46'31"W	352.70'
C68	109.00'	41°46'17"	79.47'	N00°38'14"W	77.72'
C69	46.50'	41°46'17"	33.90'	N00°38'14"W	33.15'
C70	434.50'	58°27'20"	443.29'	S07°42'17"W	424.32'
C71	370.00'	4°13'18"	27.26'	N19°24'44"W	27.26'
C72	430.00'	3°38'18"	27.31'	N19°42'14"W	27.30'

NUMBER 48259C0525F DATED

MITCHEL & HEIDI GOODALL

(VOL. 408, PG. 270, O.R.K.C.)

DECEMBER 17, 2010

(VOL. 408, PG. 270, O.R.K.C.)

### L4 S00°28'11"W 94.00' S00°28'11"W L6 S00°40'15"W 15.99' S88°52'03"W 116.76' L9 S04°09'33"W 15.81' L10 N21°31'23"W L11 S69°45'06"E L12 S69°45'06"E 62.50' L13 S69°45'06"E 101.00' L14 N06°47'13"W 144.31' L15 N71°20'35"E 126.47 N68°31'29"E L17 N68°28'37"E 123.82' L18 N21°31'23"W 58.00' L20 N42°10'26"W 60.20' L21 N43°38'38"W L22 N46°21'22"E L23 N44°47'12"E 103.66' L24 N20°14'54"E 28.78' L25 S20°14'54"W 51.83' L26 N46°21'22"E L27 S46°21'22"W L28 N20°14'54"E 21.78' 6.94' L29 N68°28'37"E L30 S68°28'37"W 6.94' L31 N43°38'38"W 50.04' L32 S46°18'42"W 58.00' L33 S43°38'38"E L34 N42°10'26"W 4.58' 33.01' L35 N56°25'40"E L36 S42°10'26"E 47.00' L37 S42°10'26"E 2.05' L38 S68°28'37"W 50.00' L39 S21°31'23"E 22.76' L40 S68°31'29"W 60.00'

THE HARGIS FARM NO 2 LTD

PG. 82, O.R.K.C.

CASTELORO HOLDINGS GROUP LLC

(VOL. 1417, PG. 839, O.R.K.C.)

CHARLES W HARPER JR

LINE TABLE

S43°38'38"E

S43°38'38"E

S82°22'14"W

LENGTH

60.02'

58.00'

60.00'

LINE BEARING

# A FINAL PLAT ESTABLISHING

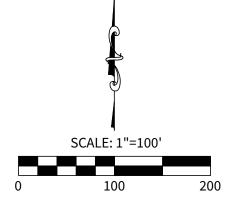
# **CORLEY FARMS UNIT 4**

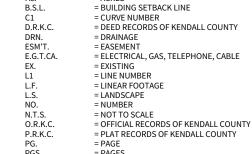
38.16 ACRES OF LAND LOCATED IN THE ANTONIO CRUZ SURVEY, NUMBER 170, ABSTRACT NUMBER 97, KENDALL COUNTY, TEXAS AND BEING A PORTION OF THAT CERTAIN 212.337 ACRES OF LAND CONVEYED TO BOERNEBAK II, LLC AS DESCRIBED IN VOLUME 1630, PAGE 731, ALL IN THE OFFICIAL RECORDS OF KENDALL COUNTY, TEXAS.

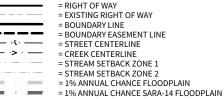
**LEGEND** 

PROP. R.O.W.

UTIL.







= HERITAGE TREE

= PROPOSED

= UTILITY

= WATER

= VARIABLE = VOLUME

= PROPOSED CLOMR ELOODPLAIN = 1/2" IRON ROD WITH RED PLASTIC CAP STAMPED "CUDE" UNLESS OTHERWISE NOTED

# **KEYNOTES**

1 10' UTILITY EASEMENT

2 10' PEDESTRIAN ACCESS EASEMENT

3 16' DRAINAGE EASEMENT

4 14' DRAINAGE EASEMENT

OFF-LOT 58' x 50' DRAINAGE, GRADING, UTILITY, WATER, & SANITARY SEWER EASEMENT TO EXPIRE UPON

A SANITARI SEWER EASEMENT TO EAPHRE UPON INCORPORATION OF FUTURE PLATTED UNIT (0.07 Ac.)

OFF-LOT VARIABLE WIDTH TEMPORARY TURNAROUND ESM'T TO EXPIRE UPON INCORPORATION OF FUTURE PLATTED UNIT (0.19 Ac.)

7 OFF-LOT VARIABLE WIDTH DRAINAGE EASEMENT TO EXPIRE UPON INCORPORATION OF FUTURE PLATTED UNIT (0.41 Ac.)

8 OFF-LOT VARIABLE WIDTH DRAINAGE EASEMENT TO EXPIRE UPON INCORPORATION OF FUTURE PLATTED UNIT (1.11 ac.)

9 OFF-LOT VARIABLE WIDTH DRAINAGE, GRADING, UTILITY, WATER, & SANITARY SEWER EASEMENT TO EXPIRE UPON INCORPORATION OF FUTURE PLATTED UNIT (0.07 Ac.)

10 OFF-LOT VARIABLE WIDTH DRAINAGE, GRADING, UTILITY, WATER, & SANITARY SEWER EASEMENT TO EXPIRE UPON INCORPORATION OF EUTILIDE BLATTER UNIT (2.07 Ac.) NCORPORATION OF FUTURE PLATTED UNIT (0.07 Ac.)

EXISTING VARIABLE WIDTH OVERHEAD ELECTRIC EASEMENT. (DOC # 2021-366138 O.R.K.C.)

EXISTING 12' UTILITY EASEMENT (DOC # 2021-361490, O.R.K.C.)

13 12' SANITARY SEWER EASEMENT

14 17' DRAINAGE EASEMENT

VARIABLE WIDTH RIGHT OF WAY DEDICATION (DOC#\_\_\_\_\_

16 9' PRIVATE DRAINAGE EASEMENT



**INDEX MAP** N.T.S.

PROJECT # 03481.008 **CONTACT:** ANDREW R. LOWRY, P.E.



CUDE ENGINEERS, L.L.C. 4122 POND HILL RD. • SUITE 101 SAN ANTONIO, TEXAS 78231 TEL 210.681.2951 • FAX 210.523.7112 WWW.CUDEENGINEERS.COM TBPE FIRM #455 TBPELS FIRM # 10048500

SEPTEMBER 2024

3 of 3



OAK

OAK

TREE CIRCUMFERENCE =  $2\pi \times (DIAMETER/2)$ 

4882

4918

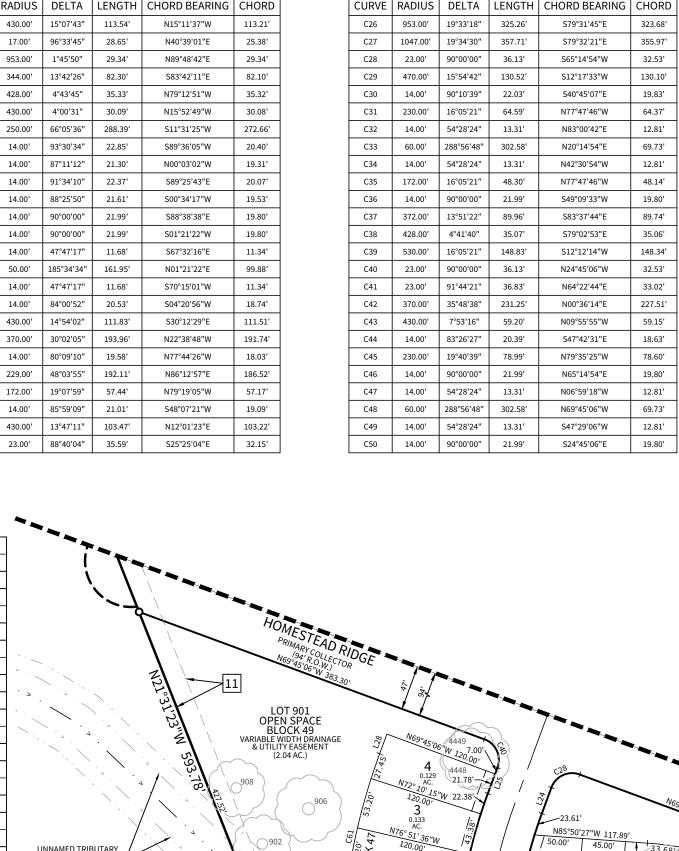
NOTE:

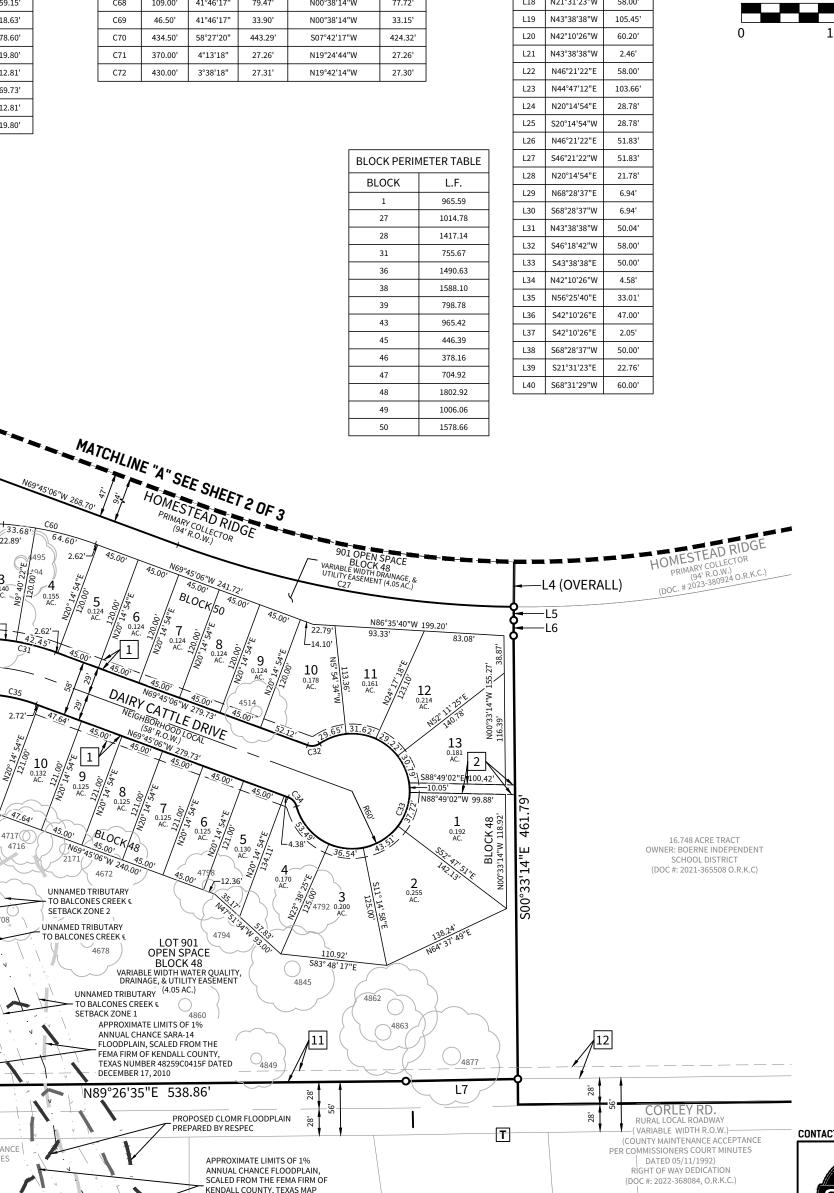
43.00 '

28.00 ''

135.09 '

87.96"





B	AGENDA ITEM SUMMARY	
Agenda Date	September 9, 2024	
Requested Action	Consider a request for a variance to Section 2.12.2, throat length, of the Engineering Design Manual for a property located at 612 River Road (KAD 26667).	
Contact Person	Cheryl Rogers – City Engineer	
Background Information	APPLICATION REQUEST:	
	The applicant requests a variance for the property at 612 River Road to construct a driveway with a throat length of 5' instead of the required 40'.  BACKGROUND:	
	In 2021, City Council adopted codes in EDM 2.12.2 requiring a minimum throat length for driveways leading to parking lots. The throat length provides a space for vehicles to queue off the roadway and is measured from the property line to the first conflict (i.e. a parking space or parking aisle). The purpose of providing adequate throat length for driveways is to ensure vehicles may enter, exit, and circulate on a site without interference with each other or with through traffic on the adjacent roadway.	
	ANALYSIS:  Due to the site constraints, the parking lot is proposed in front of the building. With a property line to the west and a retaining wall to the east, there is not enough space on either side of the building to provide a two-way driveway for parking in the rear.	
	River Road is a TxDOT roadway and classified as a major arterial on the City's major thoroughfare plan. The annual average daily traffic (AADT) for this section of River Road is 13,690 trips according to TxDOT's state traffic count map. TxDOT approved the driveway permit to change the size, location, and use of the driveway.	

	Paced on the Institute of Transpo	rtation Engineers (ITE) Manual the			
	Based on the Institute of Transportation Engineers (ITE) Manual, the projected peak hour traffic for the business on Saturday is 7 trips (3				
	inbound, 4 outbound). The project PM peak hour traffic on weekdays i				
	2 trips (1 inbound, 1 outbound).				
	, , , , , , , , , , , , , , , , , , , ,				
	ADDITIONAL VARIANCE REQUIRED	- ZONING BOARD OF ADJUSTMENT			
	AND APPEALS (BOA)				
		DI . 0.7 . 0			
	,	Planning & Zoning Commission, an			
	<u> </u>	d from the BOA for the proximity of way (ROW) and adjacent residential			
	1	requires parking spaces be located at			
		tial lots and 10' from the ROW. The			
	applicant is proposing to provide 5	' from the adjacent property and 5'			
	from the ROW.				
	MOTIONS FOR CONSIDERATION:				
	The following motions are provided	to assist the Commission's decision.			
	The following motions are provided	to assist the commission's decision.			
	- I move that the Plannin	g and Zoning Commission APPROVE			
	the variance request to Engineering Design Manual Section				
	2.12.2 for a reduced throat length. Approval is conditioned				
	upon receiving a variance from the Zoning Board of				
	Adjustments for parking lot setbacks.				
	- I move that the Plannin	g and Zoning Commission <b>DENY</b> the			
		ngineering Design Manual Section			
	2.12.2.				
Item Justification	[ ] Legal/Regulatory Obligation	[ ] Infrastructure Investment			
	[ ] Reduce Costs	[ ] Customer Pull			
	[ ] Increase Revenue	[ ] Service Enhancement			
	[ ] Mitigate Risk	[ ] Process Efficiency			
	[ ] Master Plan Recommendation	[X] Other: Variance Request			
Strategic Alignment	N/A				
(Example: C2 – Customer					
Feedback, B1 – Data Driven Decision)					
Financial Considerations	N/A				
Citizen Input/Board	N/A				
Review					

Legal Review	N/A
Alternative Options	N/A
Supporting Documents	Variance Application, Variance Exhibit, Site Photos

# CITY OF BOERNE PLANNING AND ZONING COMMISSION

# **VARIANCE APPLICATION**

APPLICANT:	Vancy L. garc	ja PHONE	NO. 956 465-887
PROPERTY ADDR	RESS: 612 Riv	ier Rd Bu	perne, Tx 28006
LOT: BI	OCK: 3 PT SUBDI	IVISION: Sunn	St Addition
OWNER:	(If different from Applic	ant) PHONE	E NO.
MAILING ADDRES	SS FOR NOTIFICATION OF	PENDING COMMISSI	ON MEETING:
Owner is giving _ hearing.	(Applicant)	_ authority to repres	ent him/her at the $15 - 9v24$
(Owner's S	ignature)	(Da	
Check one  2. Describe re	s making a request from the section No UDC 8.2 (DPZ : () Variance ( ) Appearage to build parking the terms of the section the section of the	) and EDM 2.12.2 (T	hroat length) eption
Commission true and co		reby certify that the a	
(Applicant	s Signature)	(Date)	

# CITY OF BOERNE PLANNING & ZONING COMMISSION ZONING VARIANCE WORKSHEET

Commission's Power to Grant Variances. The Planning and Zoning Commission may grant a variance from the requirements of this ordinance when, in the Commission's judgment, the application of a subdivision standard to a particular property or project meets the required findings of section 2.06.002 of the Subdivision Ordinance.

# **Procedures for Variances.**

The subdivider shall submit to the City Manager a written application for each variance which is requested, 14 days prior to the meeting at which the variance is to be considered, along with the appropriate filing fee established by City Council. The Planning and Zoning Commission shall not consider any action on the variance request until this fee has been paid. The findings of the Commission, together with the specific facts upon which such findings are based, shall be incorporated into the minutes of the Commission meeting at which the variance is granted.

In order to make a finding of hardship and to grant a variance, the Planning and Zoning Commission must determine that all of the following conditions are met. State how your request meets these conditions.

# Findings Required for Variances.

A variance to the standards in the subdivision ordinance may be granted where the Planning and Zoning Commission finds that the following conditions exist:

A. Are there unusual topographic or other physical conditions of the land or surrounding area, and these conditions are not typical to other lands in the area.

The 0.645 acre of land is elevated at the site of the building, this upper bank is lined off by a stone retaining wall, it is here that the land drops down into a lower bank. This lower bank is a Riparian area which is the remaining section of the 0.645 acre filled with natural vegetation including several trees, grass and open space. The neighboring lands do not have this exact condition.

A total of 94.7% of the property is located in the Drainage Protection Zones, 68.6% of the property is located in DPZ1 and 26.2% is located in DPZ2.

B. Is the condition beyond the control of the subdivider and is not due to the convenience or needs of a specific application or development proposal.

The condition is a natural occurring physical condition of the land and is not within the control of the developer.

Only 5.3% of the property is outside the DPZs, presenting a major hardship.

C. Is the deviation minimal from the required standard necessary to allow a more appropriate design.

No deviation is required to the land in terms of changing topographic features of the land. Elevation and slope of the land would remain the same. Water will continue to drain naturally.

D. Will the variance alter, negate or negatively impact the ability to meet any specific standard contained in the City of Boerne Zoning Ordinance. The changes require additional variance request for

the short driveway throat length of the proposed site plan and the encroachments of on-site proposed parking spots into the 15 ft residential and 10 ft ROW commercial parking buffers required in section 5.6.B.3 of the UDC. This additional variance is necessary because of the limitations of the available land for the parking spaces. The UDC requires parking for a non-residential building and the land has limitations due to existing building, retaining wall and drop off of land to the lower bank.

- E. Demonstrate that the required standard is inapplicable to the specific site, so that the proposed plat equally or better meet all of the following:
- 1. The goals and policies of the Master Plan;

This property is zoned C2, indicating the property is for commercial use. The city recognized the need for onsite parking in The Unified Development Code section 5-6 noting an onsite parking requirement. This states that no nonresidential building or structure shall be designed, erected, altered, used, or occupied, and no nonresidential use shall be operated, unless the on-site parking requirements are satisfied. There is no on street parking available in this section of River Rd., therefore the parking requirement must be satisfied onsite and the City would have known this upon making this a C2 zoned property.

Boerne's Master Plan Goal 1 addresses land use and development guiding principles and indicates a desire to promote private investment in downtown Boerne, the plan encourages redevelopment in areas where public services and utilities are already in place. This property is located just a few blocks off Main Street in the River Road Overlay area and has all city utilities and services available. The Plan further notes that Boerne is favored for economic growth and has seen grown in retail development. This will be a retail business, thereby contributing to the growth to retail development in Boerne.

- 2. The purposes of these regulations. The goal of stormwater management is to improve the quality of runoff before it enters local waterways. The standards were developed to maintain the quality of surface waters in Texas to support public health, recreational use and protect aquatic life. Currently the property has a large Riparian zone to mitigate runoff before it enters the drainage area.
- 3. The intent of the standards is to promote quality of water with the DPZ. The Riparian area with trees and native vegetation will not be affected by the parking area, and an LID feature will be added as needed to improve or maintain its ability to filter water drainage. An example of the proposed LID feature includes a Rain Garden.
- F. Will the variance have an adverse effect on existing adjacent landowners, potential future landowners in and adjacent to the subdivision, existing or potential development within any area of impact of the proposed subdivision.

No, the variance will not have an adverse effect on the existing adjacent landowner, potential future landowners in and adjacent to the property, existing or potential development within any area of impact of the proposed parking lot.

G. Will the variance negatively impact efficient development of the land and surrounding areas based on sound planning principles and the goals and policies of the Master Plan.

The variance will not negatively impact efficient development of the land and surrounding areas based on sound planning principles and the goals and policies of the Master Plan.

NOTE: there are no trees in the area where the proposed parking lot will be. There is one Magnolia tree off to the side of the house close to the retaining wall that will not be affected. Currently the ground where the proposed parking will be is covered with dirt and weeds, there is a sidewalk and an asphalt driveway.

H. Will the variance adversely impact the general health, safety and welfare of the public.

No, the variance will not adversely Impact the general health, safety and welfare of the public.

Each subdivision standard for which a variance is requested shall be specifically identified as a Note on the final plat.

# Conditions.

In granting approval of a subdivision with a variance, the Planning Commission may prescribe conditions to secure the objectives and interest of the City, and to enforce the purpose and intent of these regulations. In granting a variance, the Commission shall prescribe only conditions that it deems necessary to or desirable in the public interest.

# **NO ADVERSE IMPACT LETTER**

\*\* SITE EXHIBIT WITH EXISTING AND PROPOSED DRAINAGE FLOW LINES MUST BE ATTACHED \*\*

Property Address: 6/2 River Rd Boerne TX 18006
Date Submitted: 7-10-2024
Contact Information
Property Owner
Name: Mancy L Sarcia Telephone #: 956 465 8874
Telephone #: 956 465 8874
Email: n/g825@ yahoo, com
Project Description
requesting for variance for parking lot in DPZ 172
respecting for variance for parking lot in DPZ 172.  Cend special permit. (-2 property requires 4.  garking spaces per code, additional variance request continues below
parking spaces per code, additional variance request continues below
Construction of this project will not alter the existing drainage patterns and will not adversely affect any

I acknowledge that Section 11.086 of the Texas Water Code states that no person may divert or impound the natural flow of surface waters in a manner that damages the property of another and that I may be held responsible if a person's property is injured by an overflow of water resulting from this project.

additional request for variance: for the short driveway throat length of the proposed site plan and the encroachments of on-site proposed parking spots into the 15 ft residential and 10 ft ROW commercial parking buffers required in section 5.6.B.3 of the UDC.

Property Owner Signature

of the adjacent neighbors or downstream properties.

# **LEGEND**

---- EXISTING DPZ ----- EXISTING BUILDING ----- STREAM CENTERLINE

- NOTES:
- ACKES.

  3. CONCEPTUAL PARKING SITE PLAN TAKEN FROM SKETCH PROVIDED BY PROPERTY OWNER. SETBACKS SHOWN ARE BASED ON RIVER ROAD OVERLAY DISTRICT

----1300---- EXISTING MAJOR CONTOUR ----1301---- EXISTING MINOR CONTOUR SARA 100-YEAR FLOODPLAIN

EXISTING TO BE DEMOLISHED

- CONTOURS SHOWN ARE BASED ON 2021 LIDAR DATA, OBTAINED FROM TNRIS.
   DRAINAGEWAY PROTECTION ZONES SHOWN ARE DELINEATED BASED ON THE CITY OF BOERNE REQUIREMENTS FOR WATERSHEDS GREATER THAN 640 ACRES
- 4. CONCEPTUAL LOW IMPACT DEVELOPMENT DESIGN
  FEATURE SHOWN TO CAPTURE AND TREAT RUNOFF
  FROM THE INCREASED IMPERVIOUS COVER PROPOSED.

  5. LID STRUCTURE IS ANTICIPATED TO BE A RAIN
  GARDEN SIZED TO TREAT THE ADDED IMPERVIOUS
  COVER.

# **EXISTING IMPERVIOUS COVER CALCULATIONS**

	AREA OUTSIDE OF DPZ (SF)	AREA INSIDE OF DPZ1 (SF)	AREA INSIDE OF DPZ2 (SF)	TOTAL (SF)	TOTAL (AC)	TOTAL %
PROPERTY *	1491	19262	7352	28105	0.645	_
IC: EXISTING PAVING	972	_	358	1330	0.03	4.7%
IC: BUILDINGS	37	17	1519	1573	0.04	5.6%
IC: TOTAL	1009	17	1877	2903	0.07	10.3%
OFFSITE PAVING	152	_	67	219	0.005	-
			•			

PROPOSED IMPERVIOUS COVER CALCULATIONS

DPZ (SF) DPZ1 (SF) DPZ2 (SF)

19262

1491

502

PROPERTY \*

IC: PAVING

AREA AREA AREA OUTSIDE OF INSIDE OF TOTAL (SF) TOTAL (AC) TOTAL %

1842

1470

3312

200

\* A TOTAL OF 94.7% OF THE PROPERTY IS LOCATED WITHIN DRAINAGEWAY PROTECTION ZONES. 68.6% OF THE PROPERTY IS LOCATED WITHIN DPZ1 AND 26.2% IS LOCATED WITHIN DPZ2. \*\* 3.3% INCREASE IN IMPERVIOUS COVER IS PROPOSED

A DECREASE OF 17 SF IS PROPOSED WITHIN DPZ 1 AND AN INCREASE OF 1435 SF IS PROPOSED WITHIN DPZ2.

7352 28105 0.645

2344

1507

0.05 8.3%

0.03 5.4%

0.006

0.09 13.7% \*\*

\* A TOTAL OF 94.7% OF THE PROPERTY IS LOCATED WITHIN DRAINAGEWAY PROTECTION ZONES. 68.6% OF THE PROPERTY IS LOCATED WITHIN DPZ1 AND 26.2% IS LOCATED WITHIN DPZ2.

# CHELSY L. HOUY







ISSUE DATE: 07/11/2024

JOB NO.: 11568-002

OF 01

DRAWN BY: JSK CHECKED BY: CLH
SCALE: 1" = 20'

SHEET NO .:

# ZONE

Ž ()

DRAINAGE

**PROPOSED LAYOUT** 

# **EXISTING LAYOUT** SARA 100-YEAR FLOODPLAIN-— SARA 100-YEAR FLOODWAY — PROJECT PROPERTY LINE -EXISTING RETAINING WALL - PROPOSED LID ADJACENT PROPÉRTY LINE

PROJECT PROPERTY LINE —

TO BE REMOVED

EXISTING BUILDING

-SARÁ 100-YEAR FLOODWAY-

— EXISTING RETAINING WALL

612 River – Site Photos September 4, 2024









B	AGENDA ITEM SUMMARY
Agenda Date	September 9, 2024
Requested Action	Consider a request for a variance to Chapter 8.2, Drainageway Protection Zones, of the Unified Development Code for a property located at 612 River Road (KAD 26667).
Contact Person	Cheryl Rogers – City Engineer
Background Information	DRAINAGEWAY PROTECTION ZONE VARIANCE
	APPLICATION REQUEST: The applicant requests a variance for the property at 612 River Road to construct a parking lot in Drainageway Protection Zones (DPZ) 2 and a rain garden in DPZ 1.
	In February 2020, City Council adopted codes establishing DPZs based on a recommendation from the 2017 Master Plan. The primary purpose of DPZs includes protection of natural drainageways and riparian buffer zones to promote water quality. A secondary benefit is protecting the public in drainage events. The riparian areas are the land along the drainageways which contain unique soil and vegetation that are influenced by being within the natural waterway. The riparian areas help control nonpoint source pollution by trapping sediment and using nutrients for treatment. Trees and grasses in riparian areas stabilize streambanks and reduce floodwater velocity, resulting in reduced downstream flood peaks. DPZ 2 does not allow for impervious cover to be added for a parking lot, and DPZ 1 does not allow for low impact development facilities, including rain gardens.
	ANALYSIS:  The site at 612 River Road is approximately 0.65 acres and currently zoned C2. "No Name Creek" traverses through the site. The applicant purchased the property with the intent to change the use from single family residential to commercial for a salon business. For this commercial use, the Unified Development Code requires four parking spaces be provided, one of which being an accessible parking space. In order to provide the required number of parking spaces and prevent vehicles from backing up into Piver Pood, the applicant requests to

vehicles from backing up into River Road, the applicant requests to

construct a new parking lot in front of the building within DPZ 2.

The property contains the 100-year FEMA effective floodplain and draft San Antonio River Authority 100-year floodplain (SARA floodplain). Approximately 95% of the property is within DPZs 1 and 2. The proposed parking lot is within the SARA floodplain and DPZ 2. The parking lot is proposed to be 2,344 square feet which results in an increase in impervious cover of 1,435 square feet within DPZ 2. The applicant also intends to remove small sheds in the backyard which would result in a decrease in impervious cover of 17 square feet within DPZ 1.

The existing conditions of the proposed parking lot is a manicured lawn and paved driveway. To meet the required water quality treatment, the applicant proposes a rain garden within DPZ 1 to capture runoff directly from the parking lot. No trees will be removed as part of the improvements.

# <u>ADDITIONAL VARIANCE REQUIRED – ZONING BOARD OF ADJUSTMENT AND APPEALS (BOA)</u>

If this variance is approved by the Planning & Zoning Commission, an additional variance will be required from the BOA for the proximity of the parking spaces to the right-of-way (ROW) and adjacent residential property. UDC Section 5-6(B)(3)(d) requires parking spaces be located at least 15' from neighboring residential lots and 10' from the ROW. The applicant is proposing to provide 5' from the adjacent property and 5' from the ROW.

# MOTIONS FOR CONSIDERATION:

The following motions are provided to assist the Commission's decision.

- I move that the Planning and Zoning Commission APPROVE the variance request to Unified Development Code Chapter 8.2 to construct a parking lot within Drainageway Protection Zone 2 and a rain garden with Drainageway Protection Zone 1. Approval is conditioned upon receiving a variance from the Zoning Board of Adjustments for parking lot setbacks.
- I move that the Planning and Zoning Commission **DENY** the variance request to Unified Development Code Chapter 8.2 and Engineering Design Manual Section 2.12.2.

Item Justification	[ ] Legal/Regulatory Obligation	[ ] Ir	nfrastructure Investment
	[ ] Reduce Costs	[ ] C	Customer Pull
	[ ] Increase Revenue	[] S	ervice Enhancement
	[ ] Mitigate Risk	[ ] P	rocess Efficiency
	[ ] Master Plan Recommendation	[X] C	Other: <u>Variance Request</u>
Strategic Alignment (Example: C2 – Customer Feedback, B1 – Data Driven Decision)	N/A		
Financial Considerations	N/A		
Citizen Input/Board Review	N/A		
Legal Review	N/A		
Alternative Options	N/A		
Supporting Documents	Variance Application, Variance Exhi	bit, Site	Photos

# CITY OF BOERNE PLANNING AND ZONING COMMISSION

# **VARIANCE APPLICATION**

APPLICANT:	Vancy L. garc	ja PHONE	NO. 956 465-887
PROPERTY ADDR	RESS: 612 Riv	ier Rd Bu	perne, Tx 28006
LOT: BI	OCK: 3 PT SUBDI	IVISION: Sunn	St Addition
OWNER:	(If different from Applic	ant) PHONE	E NO.
MAILING ADDRES	SS FOR NOTIFICATION OF	PENDING COMMISSI	ON MEETING:
Owner is giving _ hearing.	(Applicant)	_ authority to repres	ent him/her at the $15 - 9v24$
(Owner's S	ignature)	(Da	
Check one  2. Describe re	s making a request from the section No UDC 8.2 (DPZ : () Variance ( ) Appearage to build parking the terms of the section the section of the	) and EDM 2.12.2 (T	hroat length) eption
Commission true and co		reby certify that the a	
(Applicant	s Signature)	(Date)	

# CITY OF BOERNE PLANNING & ZONING COMMISSION ZONING VARIANCE WORKSHEET

Commission's Power to Grant Variances. The Planning and Zoning Commission may grant a variance from the requirements of this ordinance when, in the Commission's judgment, the application of a subdivision standard to a particular property or project meets the required findings of section 2.06.002 of the Subdivision Ordinance.

# **Procedures for Variances.**

The subdivider shall submit to the City Manager a written application for each variance which is requested, 14 days prior to the meeting at which the variance is to be considered, along with the appropriate filing fee established by City Council. The Planning and Zoning Commission shall not consider any action on the variance request until this fee has been paid. The findings of the Commission, together with the specific facts upon which such findings are based, shall be incorporated into the minutes of the Commission meeting at which the variance is granted.

In order to make a finding of hardship and to grant a variance, the Planning and Zoning Commission must determine that all of the following conditions are met. State how your request meets these conditions.

# Findings Required for Variances.

A variance to the standards in the subdivision ordinance may be granted where the Planning and Zoning Commission finds that the following conditions exist:

A. Are there unusual topographic or other physical conditions of the land or surrounding area, and these conditions are not typical to other lands in the area.

The 0.645 acre of land is elevated at the site of the building, this upper bank is lined off by a stone retaining wall, it is here that the land drops down into a lower bank. This lower bank is a Riparian area which is the remaining section of the 0.645 acre filled with natural vegetation including several trees, grass and open space. The neighboring lands do not have this exact condition.

A total of 94.7% of the property is located in the Drainage Protection Zones, 68.6% of the property is located in DPZ1 and 26.2% is located in DPZ2.

B. Is the condition beyond the control of the subdivider and is not due to the convenience or needs of a specific application or development proposal.

The condition is a natural occurring physical condition of the land and is not within the control of the developer.

Only 5.3% of the property is outside the DPZs, presenting a major hardship.

C. Is the deviation minimal from the required standard necessary to allow a more appropriate design.

No deviation is required to the land in terms of changing topographic features of the land. Elevation and slope of the land would remain the same. Water will continue to drain naturally.

D. Will the variance alter, negate or negatively impact the ability to meet any specific standard contained in the City of Boerne Zoning Ordinance. The changes require additional variance request for

the short driveway throat length of the proposed site plan and the encroachments of on-site proposed parking spots into the 15 ft residential and 10 ft ROW commercial parking buffers required in section 5.6.B.3 of the UDC. This additional variance is necessary because of the limitations of the available land for the parking spaces. The UDC requires parking for a non-residential building and the land has limitations due to existing building, retaining wall and drop off of land to the lower bank.

- E. Demonstrate that the required standard is inapplicable to the specific site, so that the proposed plat equally or better meet all of the following:
- 1. The goals and policies of the Master Plan;

This property is zoned C2, indicating the property is for commercial use. The city recognized the need for onsite parking in The Unified Development Code section 5-6 noting an onsite parking requirement. This states that no nonresidential building or structure shall be designed, erected, altered, used, or occupied, and no nonresidential use shall be operated, unless the on-site parking requirements are satisfied. There is no on street parking available in this section of River Rd., therefore the parking requirement must be satisfied onsite and the City would have known this upon making this a C2 zoned property.

Boerne's Master Plan Goal 1 addresses land use and development guiding principles and indicates a desire to promote private investment in downtown Boerne, the plan encourages redevelopment in areas where public services and utilities are already in place. This property is located just a few blocks off Main Street in the River Road Overlay area and has all city utilities and services available. The Plan further notes that Boerne is favored for economic growth and has seen grown in retail development. This will be a retail business, thereby contributing to the growth to retail development in Boerne.

- 2. The purposes of these regulations. The goal of stormwater management is to improve the quality of runoff before it enters local waterways. The standards were developed to maintain the quality of surface waters in Texas to support public health, recreational use and protect aquatic life. Currently the property has a large Riparian zone to mitigate runoff before it enters the drainage area.
- 3. The intent of the standards is to promote quality of water with the DPZ. The Riparian area with trees and native vegetation will not be affected by the parking area, and an LID feature will be added as needed to improve or maintain its ability to filter water drainage. An example of the proposed LID feature includes a Rain Garden.
- F. Will the variance have an adverse effect on existing adjacent landowners, potential future landowners in and adjacent to the subdivision, existing or potential development within any area of impact of the proposed subdivision.

No, the variance will not have an adverse effect on the existing adjacent landowner, potential future landowners in and adjacent to the property, existing or potential development within any area of impact of the proposed parking lot.

G. Will the variance negatively impact efficient development of the land and surrounding areas based on sound planning principles and the goals and policies of the Master Plan.

The variance will not negatively impact efficient development of the land and surrounding areas based on sound planning principles and the goals and policies of the Master Plan.

NOTE: there are no trees in the area where the proposed parking lot will be. There is one Magnolia tree off to the side of the house close to the retaining wall that will not be affected. Currently the ground where the proposed parking will be is covered with dirt and weeds, there is a sidewalk and an asphalt driveway.

H. Will the variance adversely impact the general health, safety and welfare of the public.

No, the variance will not adversely Impact the general health, safety and welfare of the public.

Each subdivision standard for which a variance is requested shall be specifically identified as a Note on the final plat.

# Conditions.

In granting approval of a subdivision with a variance, the Planning Commission may prescribe conditions to secure the objectives and interest of the City, and to enforce the purpose and intent of these regulations. In granting a variance, the Commission shall prescribe only conditions that it deems necessary to or desirable in the public interest.

# **NO ADVERSE IMPACT LETTER**

\*\* SITE EXHIBIT WITH EXISTING AND PROPOSED DRAINAGE FLOW LINES MUST BE ATTACHED \*\*

Property Address: 6/2 River Rd Boerne TX 18006
Date Submitted: 7-10-2024
Contact Information
Property Owner
Name: Mancy L Sarcia Telephone #: 956 465 8874
Telephone #: 956 465 8874
Email: n/g825@ yahoo, com
Project Description
requesting for variance for parking lot in DPZ 172
respecting for variance for parking lot in DPZ 172.  Cend special permit. (-2 property requires 4.  garking spaces per code, additional variance request continues below
parking spaces per code, additional variance request continues below
Construction of this project will not alter the existing drainage patterns and will not adversely affect any

I acknowledge that Section 11.086 of the Texas Water Code states that no person may divert or impound the natural flow of surface waters in a manner that damages the property of another and that I may be held responsible if a person's property is injured by an overflow of water resulting from this project.

additional request for variance: for the short driveway throat length of the proposed site plan and the encroachments of on-site proposed parking spots into the 15 ft residential and 10 ft ROW commercial parking buffers required in section 5.6.B.3 of the UDC.

Property Owner Signature

of the adjacent neighbors or downstream properties.

ISSUE DATE: 07/11/2024

JOB NO.: 11568-002

OF 01

DRAWN BY: JSK CHECKED BY: CLH
SCALE: 1" = 20'

SHEET NO .:

# **LEGEND**

----1300---- EXISTING MAJOR CONTOUR ----1301---- EXISTING MINOR CONTOUR ---- EXISTING DPZ

----- EXISTING BUILDING

- ACKES.

  3. CONCEPTUAL PARKING SITE PLAN TAKEN FROM SKETCH PROVIDED BY PROPERTY OWNER. SETBACKS SHOWN ARE BASED ON RIVER ROAD OVERLAY DISTRICT

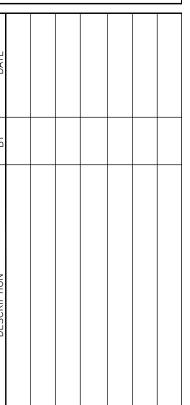
# SARA 100-YEAR FLOODPLAIN ----- STREAM CENTERLINE EXISTING TO BE DEMOLISHED NOTES:

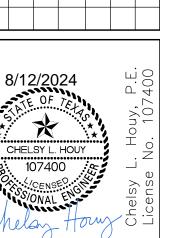
- CONTOURS SHOWN ARE BASED ON 2021 LIDAR DATA, OBTAINED FROM TNRIS.
   DRAINAGEWAY PROTECTION ZONES SHOWN ARE DELINEATED BASED ON THE CITY OF BOERNE REQUIREMENTS FOR WATERSHEDS GREATER THAN 640 ACRES
- DISTRICT.

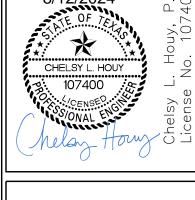
  4. CONCEPTUAL LOW IMPACT DEVELOPMENT DESIGN FEATURE SHOWN TO CAPTURE AND TREAT RUNOFF FROM THE INCREASED IMPERVIOUS COVER PROPOSED.

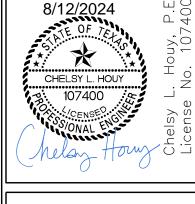
  5. LID STRUCTURE IS ANTICIPATED TO BE A RAIN GARDEN SIZED TO TREAT THE ADDED IMPERVIOUS COVER.











PROTECTION ZONE

DRAINAGE

NAN 612 F

# **EXHIBIT**

# PROPOSED IMPERVIOUS COVER CALCULATIONS

**EXISTING IMPERVIOUS COVER CALCULATIONS** 

OF DPZ (SF) DPZ1 (SF) DPZ2 (SF)

1491

972

1009

152

PROPERTY \*

IC: EXISTING

PAVING

IC: BUILDINGS

IC: TOTAL

19262

AREA OUTSIDE AREA AREA INSIDE OF INSIDE OF TOTAL (SF) TOTAL (AC) TOTAL %

358

1519

1877

67

\* A TOTAL OF 94.7% OF THE PROPERTY IS LOCATED WITHIN DRAINAGEWAY PROTECTION ZONES. 68.6% OF THE PROPERTY IS LOCATED WITHIN DPZ1 AND 26.2% IS LOCATED WITHIN DPZ2.

7352 28105

1330

1573

2903

219

0.645

0.03

0.04

0.07

0.005

4.7%

5.6%

10.3%

	AREA OUTSIDE OF DPZ (SF)	AREA INSIDE DPZ1 (SF)	AREA INSIDE OF DPZ2 (SF)	TOTAL (SF)	TOTAL (AC)	TOTAL %
PROPERTY *	1491	19262	7352	28105	0.645	-
IC: PAVING	502	ı	1842	2344	0.05	8.3%
IC: BUILDINGS	37	_	1470	1507	0.03	5.4%
IC: TOTAL	539	_	3312	3851	0.09	13.7% **
OFFSITE PAVING	44	_	200	244	0.006	_

PAVING						
* A TOTAL OF 9	4.7% OF THE	PROPERTY IS	LOCATED W	THIN DRAINAG	EWAY PROTEC	TION ZONES.
68.6% OF THE				20.2.0	LOCATED WIT	HIN DPZ2.
** 3.3% INCREA	SE IN IMPERV	IOUS COVER	IS PROPOSE	D		
A DECREASE OF	- 17 CF IC DI	DODOSED WIT	IIIN DD7 1	AND AN INCDE		: כר וכ
PROPOSED WITHII		KOPOSED WII	HIN DPZ I /	AND AN INCRE	ASE OF 1435	) 35 13

PROJECT PROPERTY LINE  PROJECT PROPERTY LINE  1388	STREAM CENTERUNE
1389	PROPOSED LID
5.00'  PROPOSED PARKING LOT  Solution in the second	

**EXISTING LAYOUT** 

PROJECT PROPERTY LINE -

EXISTING CONCRETE -

TO BE REMOVED

EXISTING BUILDING

— SARA 100-YEAR FLOODPLAIN-

-SARA 100-YEAR FLOODWAY-

— EXISTING RETAINING WALL

— SARA 100-YEAR FLOODWAY —

# **PROPOSED LAYOUT**

612 River – Site Photos September 4, 2024







