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## PLANNING & ZONING COMMISSION CONSIDERATION ITEM

### CITY OF FAIR OAKS RANCH, TEXAS

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AGENDA TOPIC: Consideration and possible action regarding a recommendation to City Council on a proposed zoning application submitted by Brown & McDonald, PLLC on behalf of the property owner, BMRK Boerne Ranch LLC, to designate approximately 344.6 acres generally located north of the intersection of Rolling Acres Trail and Ammann Road, and bordered by Ammann Road to the south and west, as Neighborhood Residential (NR)

DATE: August 14, 2025

DEPARTMENT: Public Works and Engineering Department

PRESENTED BY: Jessica Relucio, ENV SP, City Planner

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#### **INTRODUCTION/BACKGROUND:**

In December 2024, staff received applications from Brown & McDonald PLLC, on behalf of the property owner, BMRK Boerne Ranch, LLC, for Annexation, Future Land Use Map (FLUM) amendment, and Zoning designation for approximately 344.6 acres, generally located north of the intersection of Rolling Acres Trail and Ammann Road and bordered by Ammann Road to the south and west.

On May 20, 2025, an amended development agreement providing for 278 single-family residential units with one (1) acre minimum lots was approved by the City Council. The Council, on July 3, 2025, approved the annexation of the subject property. On August 7, 2025, the development agreement was amended to reflect 227 single-family residential units.

In accordance with the Unified Development Code (UDC) Section 4.4 (2) Newly Annexed Territory, when permanent zoning is requested in conjunction with annexation, the City Council shall permanently zone the area as soon as practical after the completion of annexation proceedings. Furthermore, Section 6.02 of the Development Agreement states that the City shall permanently zone the property within 180 days after annexation.

The applicant requested a zoning designation of Neighborhood Residential (NR), which aligns with the approved development agreement and the proposed Future Land Use Map (FLUM) classification NR. The NR zoning district requires a minimum lot size of one acre.

Staff provided a comprehensive overview of the proposed zone designation change at the public hearing. The staff report presented to the P&Z at the public hearing included:

- An assessment of proposed zoning changes in relation to the proposed Future Land Use Map (FLUM) and Comprehensive Plan
- An overview of the application process leading to the proposed zone designation change from RR to NR
- An overview of evaluation criteria that need to be considered when changing a zone designation, and

- An overview of the public notice requirements, the City's public notice actions and comments received

### **CRITERIA FOR REVIEW:**

Texas Local Government Code Chapter 211 Municipal Zoning Authority authorizes municipalities to designate or rezone lots that meet the FLUM classification as portrayed in the Comprehensive Plan. This proposed zone designation is consistent with the FLUM amendment request under consideration and with the following Comprehensive Plan principles, goals, and objectives:

1. Preserve the sub-urban, rustic character and quality of life that attracted residents to Fair Oaks Ranch as a defining trait of the community.
2. As the City builds out, incorporate greenery, trees, trails, open spaces and opportunities to see and enjoy the natural splendor of the Hill Country into new neighborhoods and the community at large. Protect water resources, natural resources and wildlife.
3. Demand high-quality construction and infrastructure from new developers, based on the Fair Oaks Ranch vision.

For reference, UDC Section 3.7 (4) states zoning changes may be approved by the City Council when the following standards are met:

1. The zoning change is consistent with the Comprehensive Plan,
2. The zoning change promotes the health, safety, or general welfare of the City and the safe, orderly, and healthful development of the City,
3. The zoning change is compatible with and conforms with uses of nearby property and the character of the neighborhood,
4. The property affected by the zoning change is suitable for uses permitted by the proposed amendment to the zoning map, and
5. Infrastructure, including roadway adequacy, sewer, water and storm water facilities, is or is committed to be available that is generally suitable and adequate for the proposed use.

### **POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:**

1. Complies with Texas Local Government Code Chapter 211 Municipal Zoning Authority and the Unified Development Code.
2. Supports Strategic Action Plan Priority 2.1 Manage the Physical Development of the City.
3. The proposed zoning designation complies with the approved development agreement for the property which includes 227 single-family residential units on one-acre minimum lots. This represents a significant reduction in lots compared to the original development agreement, enables the preservation of geological and drainage features on site and reduces future demands on the City's water supply and transportation infrastructure.

### **LONGTERM FINANCIAL & BUDGETARY IMPACT:**

N/A

### **LEGAL ANALYSIS:**

All applicable regulations for zone designation have been met.

**RECOMMENDATION/PROPOSED MOTION:**

Staff prepared the following draft findings for the P&Z to review and consider or amend to support the proposed NR zoning designation:

1. The proposed zone designation of NR is consistent with the requested Comprehensive Plan FLUM amendment.
2. The proposed zone designation aligns with the approved development agreement for the property, which includes 227 single-family residential units on one-acre minimum lots. This represents a significant reduction in lots compared to the original agreement, enables the preservation of geological and drainage features on site, and reduces future demands on the City's water supply and transportation infrastructure.
3. The proposed zone designation is compatible with and conforms to the uses and character of nearby properties such as Stone Creek Ranch
4. The subject property is suitable for use as single-family residential on minimum one-acre lots.
5. The Development Agreement requires the developer to construct all water and stormwater facilities using current design standards, provide a financial contribution towards the Ammann Road Reconstruction Project, and install onsite sewage facilities (septic) for each permitted lot.

**MOTION:** I move to recommend approval of the proposed zoning application to designate approximately 344.6 acres generally located north of the intersection of Rolling Acres Trail and Ammann Road, and bordered by Ammann Road to the south and west, as Neighborhood Residential (NR).