



CITY COUNCIL PUBLIC HEARING CITY OF FAIR OAKS RANCH, TEXAS

AGENDA TOPIC: Public Hearing on a zoning application submitted by Brown & McDonald, PLLC on behalf of the property owner, BRMK 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 21, 2025

DEPARTMENT: Public Works and Engineering Department

PRESENTED BY: Jessica Relucio, ENV SP, City Planner

INTRODUCTION/BACKGROUND:

In December 2024, staff received applications from Brown & McDonald PLLC, on behalf of the property owner, BRMK 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. On July 3, 2025, annexation of the subject property was approved by the City Council. On August 7, 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.

The zoning process requires public hearings by the Planning and Zoning Commission (P&Z) and the City Council. P&Z held the public hearing on August 14, 2025, and recommended approval to the City Council. Additionally, 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 Future Land Use Map (FLUM) amendment classification of NR. The NR zoning district requires a minimum lot size of one acre.

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 considered earlier in the agenda and with the following Comprehensive Plan principles, goals, and objectives:

1. Preserve the suburban, 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.

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.
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.

PUBLIC NOTICES/COMMENTS:

As required for a zoning designation change, a notice of the public hearing was published in the Boerne Star newspaper on July 27, 2025. Additionally, and depicted in the **Exhibit E** map, abutting residents were notified of the public hearing via US Mail. Staff posted notice of public hearing signs at the subject property, and the public hearing notice was posted to the City's website. Written responses received from the public as of Wednesday, August 6th, 2025, are attached as **Exhibit F**.

NEXT STEPS:

Following the public hearing, the City Council will consider the zone designation request.

- September 4 – The City Council will consider and act on the final reading of the ordinance.

LEGAL ANALYSIS:

The public hearing demonstrates compliance with the requirements as prescribed in Texas Local Government Code and the City's Unified Development Code.

EXHIBITS:

- A. Universal Application and Specific Application (Rezoning/FLUM Amendment)
- B. Subject Property Aerial Map
- C. Future Land Use Map (FLUM) - Existing and Proposed
- D. Zoning Map - Existing and Proposed
- E. Notification Map
- F. Property Owner Response Map and Written Responses Received