

STAFF REPORT

To: City Council
From: Public Works – Engineering Services
Date: October 03, 2024
Re: Phase I Preliminary Plat application from the applicant Sitterle Homes LTD, on behalf of the property owner, Oak Bend Forest, L.C., for Oak Bend Subdivision proposing 55 single-family residential lots

SUMMARY:

The Oak Bend subdivision is generally located north of the intersection of Ralph Fair Road and Honeycomb Rock (see Exhibits A and B attached). Street access to the subdivision will be provided from Ralph Fair Road. The Master Conceptual Plan (see Exhibit C attached) provided by the applicant proposes a total of 106 single family residential lots on 149 acres to be developed in two (2) phases.

The Oak Bend Subdivision is zoned Neighborhood Residential (NR) which requires a minimum lot size of one acre.

The purpose of the Oak Bend Subdivision Phase I Preliminary Plat is to create 55 residential lots, three drainage reserves, and five private streets. All proposed residential lots meet the minimum one-acre lot size requirement. A total of 38 lots do not meet the minimum 150-foot street frontage requirement unless a variance is approved. All other development requirements under the Chapter 10 Subdivision Regulations have been met.

SITE HISTORY:

The previous approvals for the Oak Bend subdivision are listed below:

- October 19, 2006 - Ordinance 153.0 approved the City of San Antonio's Ordinance 2006-6-29-9772 releasing approximately 3,258 acres of property directly adjacent to the North, East, and Southwest of Fair Oaks Ranch city limit line from the City of San Antonio's Extraterritorial Jurisdiction.
- October 19, 2006 - Ordinance 154.0 approved voluntarily annexing the Grona Property into the City of Fair Oaks Ranch.
- September 2, 2008 - Water Supply Agreement for 15 years was executed between Oak Bend Forest, LC and the City of Fair Oaks Ranch for the reservation of water service capacity for 130 single-family Living Unit Equivalents ("LUE'S") on 149 acres.
- August 21, 2009 - The City Council granted a variance to reduce the minimum lot size from 45,000 square feet to 43,560 square feet (one acre).
- February 17, 2011 - The City Council approved a subdivision plat of Oak Bend Estates consisting of 130 one-plus acre lots. The lots widths generally ranged from 145 feet to 150 feet.

- February 16, 2017 – Ordinance 2017-02 approved amending Chapter 1; Article 1.02 of the City’s Code of Ordinances by adopting vested rights pursuant to LGC 245 (Vested Rights). It provided an opportunity for landowners or developers to “grandfather” or “vest” government regulations that apply to development at the time of the filing of a permit application.
- May 2018 – The Planning & Zoning Commission (“P&Z”) approved and advanced a preliminary report creating draft zoning district boundaries, inclusive of a draft zoning map. The City Council received the P&Z’s preliminary report and conducted a joint public hearing with no action.
- June 2018 – The P&Z approved and advanced a final report to the City Council creating zoning district boundaries, inclusive of a zoning map. Ordinance 2018-05 adopting zoning district boundaries was approved by City Council. The zoning map designated the subject property as Rural Residential (5+ acre lots) creating a conflict with the Agreement.
- October 17, 2022 – The City confirmed a vested right does exist for the Oak Bend Estates project as of September 2, 2008 (filing of plat).
- Throughout 2022 and 2023 – At pre-development meetings with staff, the applicant indicated the number of lots were reduced to preserve the geological features present on site and to provide for a secondary emergency access.
- March 21, 2024 – Resolution 2024-13 extended the 2008 Water Supply agreement for 110 single-family Living Unit Equivalent (“LUE’S”).
- June 20, 2024 – The City Council approved a Future Land Use Map (FLUM) Amendment application and a Rezoning application which changed the FLUM and Zoning designation to Neighborhood Residential.
- August 15, 2024 - The applicant submitted a Preliminary Plat application for the 55 lot Oak Bend Subdivision Phase I and a variance request to reduce the minimum street frontage of 150 feet.
- September 12, 2024 - The Planning and Zoning Commission conducted a public hearing to receive public testimony on the variance. One resident spoke in support of the proposed variance. The commission approved a recommendation to City Council in support of the proposed variance and the preliminary plat.

REASON FOR THE REQUEST:

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

PUBLIC NOTICES/COMMENTS:

N/A

CRITERIA FOR REVIEW:

Compliance with relevant sections of the Chapter 10 Subdivision Regulations and UDC.

STAFF RECOMMENDATION:

If the variance (PV-2024-01) is approved, staff recommends approval of the Oak Bend Estates Phase 1 Preliminary Plat with the following conditions:

1. The approved variance (PV-2024-01) shall apply to only the thirty-eight (38) lots that do not meet the 150-foot street frontage requirement as presented.
2. Applicant to confirm that the proposed development complies with all applicable sections of the Chapter 10 Subdivision Regulations.
3. Applicant to show that the street, Bald Cypress Court, will be connected to the adjoining street on the east in Phase II in the future and add a note to the plat regarding this.
4. Applicant to remove building setback legend from the “existing keynotes” (previously titled as “key notes”) on all pages. All setback requirements need to meet the zoning requirements of Neighborhood Residential (NR) District.
5. Applicant to provide metes and bounds description to verify all coordinate points on plat. The coordinates and distances indicated in the metes and description in the warranty deed do not match the coordinates and distances called out on the plat.
6. Applicant to add a plat note stating approval of this plat vacates the approved and recorded Oak Bend Estates Plat.

If the variance (PV-2024-01) is denied, staff recommends denial of the preliminary plat since 38 residential lots do not meet minimum street frontage requirements.

Exhibits

- A. Exhibit A Oak Bend Subdivision Location Map
- B. Exhibit B Oak Bend Subdivision Aerial Map
- C. Exhibit C Oak Bend Subdivision Master Conceptual Plan
- D. Exhibit D Universal Application and Specific Application (Preliminary Plat) including Supporting Documents