City of San Antonio, Texas

Department of Development Services

June 27, 2007

Craig Fletcher
KFW Engineers
7400 Blanco Road, Suite 260
San Antonio, TX 78216

RE: Rights Determination File: # 07-05-037R (San Antonio Retirement Residence) resubmittal

Dear Mr. Fletcher:

We have reviewed your rights determination that was resubmitted on June 8, 2007. Based on the information provided the following is our official finding:

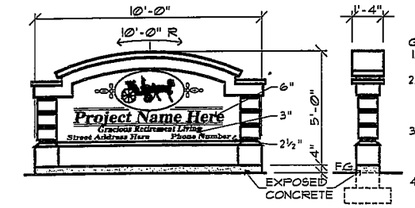
Rights effective September 19, 1983; for development consistent with Stone Oak POADP # 48 and Fair Notice 07-0061, for a 118 unit retirement residence on a 16.75 acre tract of land.

All appeals and resubmittals must be filed with the Director of Development Services within fifteen (15) calendar days from the date the applicant is notified of the adverse decision or action taken under these requirements. Appeals and resubmittals made after fifteen (15) calendar days will not be accepted. If you have any further questions please contact Melissa Ramirez at 207-7038.

Sincerely,

Fernando J. De León, P.E.
Assistant Director Development Services Department
Land Development Division

FN07-0061



GENERAL NOTES:
1. MANUFACTURER: SIGN-A-RAMA
2. LETTERING: ALL RAISED (SIGN FORM-CUSTOM PAINTED)
3. ACRYLIC OVAL SHAPE W/VINYL LETTERS (2nd SURFACE)
4. 8"x24" CONTINUOUS FOOTING WITH 2 - #4 CONT. REBAR

TYPICAL PROJECT SIGN

LANDSCAPE LEGEND

LARGE DECIDUOUS TREE
(TYPICAL BUT NOT LIMITED TO)
RED MAPLE, TULIP POPLAR,
OAK---LIVE, RED, SCARLET, OR SHUMARD
SOUTHERN MAGNOLIA 2.5" CALIPER

MEDIUM / SMALL DECIDUOUS TREE
(TYPICAL BUT NOT LIMITED TO)
FLOWERING CHERRY, FLOWERING PEAR,
CRAPE MYRTLE 2" CALIPER

CONIFER TREE
(TYPICAL BUT NOT LIMITED TO)
DEODAR CEDAR, VIRGINIA PINE
BALD CYPRESS 6'-7' HEIGHT

SHRUBS
(TYPICAL BUT NOT LIMITED TO)
JAPANESE & CHINESE HOLLY,
BARBERRY VARIETIES, AZALEA,
CRAPE MYRTLE, GARDINIA, HYDRANGEA
1 GAL., 3 GAL, 24"-30"

GROUND COVER
(TYPICAL BUT NOT LIMITED TO)
ANNUAL FLOWERS, ASIATIC JASMINE,
DAYLILY, JUNIPER, LIRIOPE
4" POT, 1 GAL.

LAWN

LANDSCAPE NOTE:

1. THIS LANDSCAPE PLAN IS SCHEMATIC AND IS MEANT TO DESCRIBE THE CHARACTER OF THE PROJECT. A DETAILED PLANTING PLAN WILL BE SUBMITTED UPON APPROVAL OF SITE AND SCHEMATIC LANDSCAPE PLANS.
2. IRRIGATION WILL BE PROVIDED BY A FULLY AUTOMATIC UNDERGROUND SYSTEM.

SITE PLAN

SCALE 1" = 60'-0"
DATE 03/14/2007

0 30 60 120 180 300

PROJECT STATISTICS:

PROJECT AREA:		
GROSS AREA 16.7503 ACRES		
	729,643 SQ FT	100%
AREA CALCULATIONS:		
MAIN BUILDING:	38,543 SQ. FT.	
COTTAGES:	6,810 SQ. FT.	
TOTAL BUILDINGS:	45,353 SQ. FT.	6.2%
PATIOS:	5,560 SQ. FT.	0.8%
DRIVES / PARKING:	51,414 SQ. FT.	7.0%
WALKS:	7,436 SQ. FT.	1.0%
LANDSCAPED AREA:	619,880 SQ. FT.	85.0%

4 ACCESSIBLE SPACES
6 GARAGE SPACES
63 OPEN SPACES
73 SPACES PROVIDED

Holiday RETIREMENT CORP.
2250 McGilchrist St. S.E., Suite 200 Salem, OR 97302
P.O. Box 14111 Salem, OR 97309-5036
(503)370-7070 Fax(503)364-5715

Curry Brandaw Architects
PARTNERSHIP
2801 25th Street SE, Suite 200 - Salem, Oregon 97302
503. 399-1090 -- Direct 503. 399-1944 -- Fax 503. 399-0365
1999 Curry Brandaw Architects / Colson & Colson Construction Company

San Antonio Retirement Residence

San Antonio, Texas

05-22-069P03900-M1

VRP#02C5-0032

City of San Antonio, Texas

Department of Development Services

May 30, 2007

Craig Fletcher
KFW Engineers
7400 Blanco Road, Suite 260
San Antonio, TX 78216

RE: Rights Determination File: # 07-05-037 (San Antonio Retirement Residence)

Dear Mr. Fletcher:

We have reviewed your rights determination that was requested on May 22, 2007. Based on the information provided the following is our official finding:

To make a determination the applicant shall identify the site location within the Stone Oak POADP # 48.

All appeals and resubmittals must be filed with the Director of Development Services within fifteen (15) calendar days from the date the applicant is notified of the adverse decision or action taken under these requirements. Appeals and resubmittals made after fifteen (15) calendar days will not be accepted. If you have any further questions please contact Melissa Ramirez at 207-7038.

Sincerely,

Fernando J. De León, P.E.
Assistant Director Development Services Department
Land Development Division

VR P# 07-05-037R

Picked up: Craig Fletcher
DATE: 6/6/2007

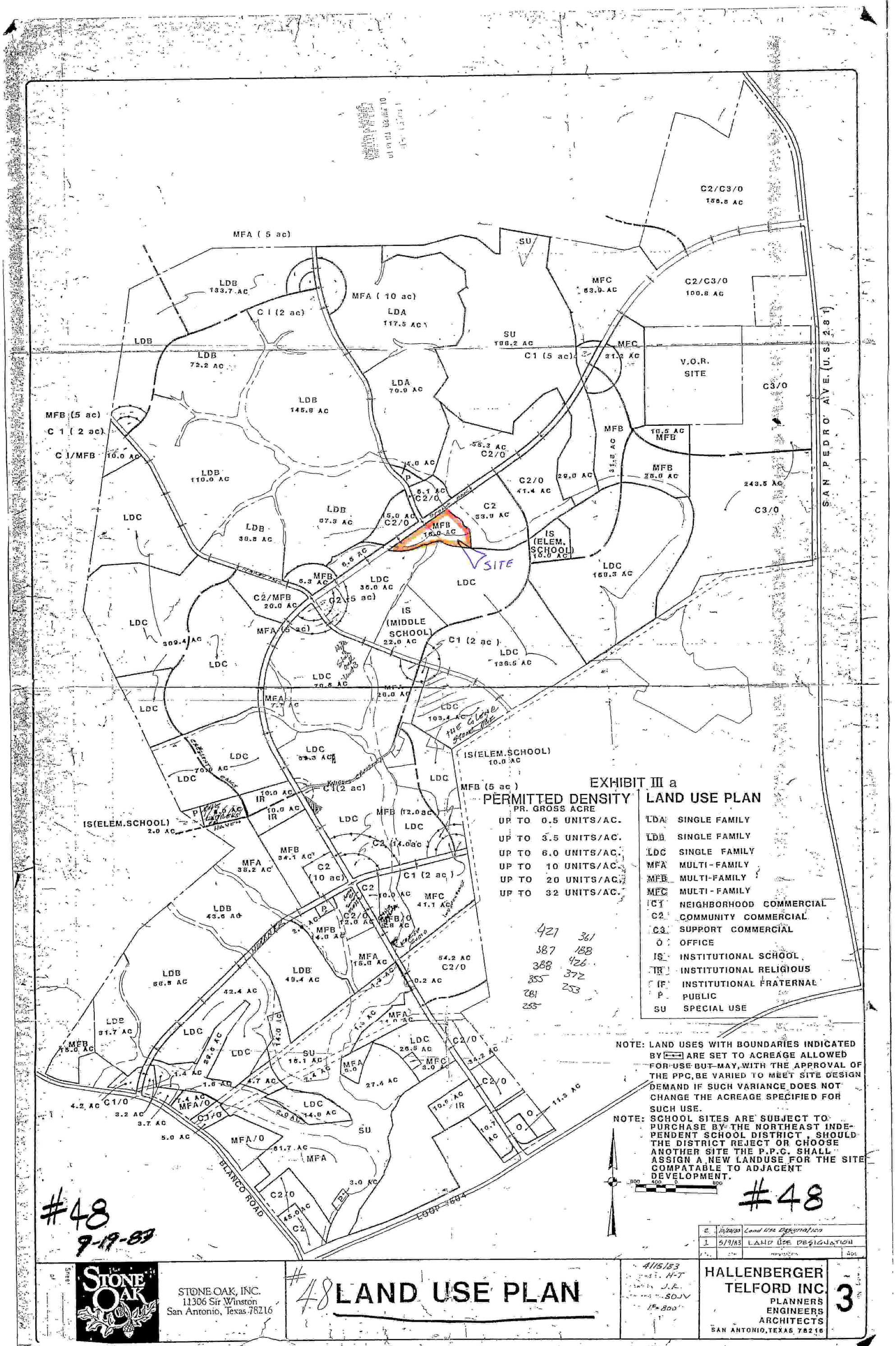
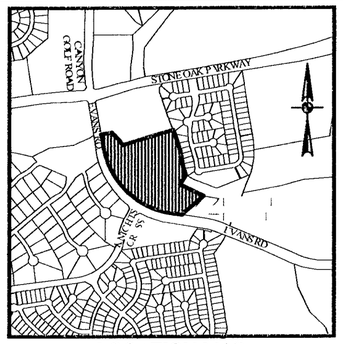


EXHIBIT III a
PERMITTED DENSITY
PR. GROSS ACRE
UP TO 0.5 UNITS/AC.
UP TO 3.5 UNITS/AC.
UP TO 6.0 UNITS/AC.
UP TO 10 UNITS/AC.
UP TO 20 UNITS/AC.
UP TO 32 UNITS/AC.
LAND USE PLAN
LDA SINGLE FAMILY
LDB SINGLE FAMILY
LDC SINGLE FAMILY
MFA MULTI-FAMILY
MFB MULTI-FAMILY
MFC MULTI-FAMILY
C1 NEIGHBORHOOD COMMERCIAL
C2 COMMUNITY COMMERCIAL
C3 SUPPORT COMMERCIAL
O OFFICE
IS INSTITUTIONAL SCHOOL
IR INSTITUTIONAL RELIGIOUS
IF INSTITUTIONAL FRATERNAL
P PUBLIC
SU SPECIAL USE
NOTE: LAND USES WITH BOUNDARIES INDICATED BY ARE SET TO ACREAGE ALLOWED FOR USE BUT MAY, WITH THE APPROVAL OF THE PPC, BE VARIED TO MEET SITE DESIGN DEMAND IF SUCH VARIANCE DOES NOT CHANGE THE ACREAGE SPECIFIED FOR SUCH USE.
NOTE: SCHOOL SITES ARE SUBJECT TO PURCHASE BY THE NORTHEAST INDEPENDENT SCHOOL DISTRICT, SHOULD THE DISTRICT REJECT OR CHOOSE ANOTHER SITE THE P.P.C. SHALL ASSIGN A NEW LANDUSE FOR THE SITE COMPATABLE TO ADJACENT DEVELOPMENT.
SITE
SAN PEDRO AVE. (U.S. 281)
BLANCO ROAD
LOOP 1604
V.O.R. SITE
#48
9-19-83
STONE OAK
STONE OAK, INC.
11306 Sir Winston
San Antonio, Texas 78216
#48 LAND USE PLAN
4/15/83
HALLENBERGER TELFORD INC.
PLANNERS
ENGINEERS
ARCHITECTS
SAN ANTONIO, TEXAS 78216
3
VRP# 07-05-037R

PLAT NO 070440



LOCATION MAP
N T S

SCALE 1 =100

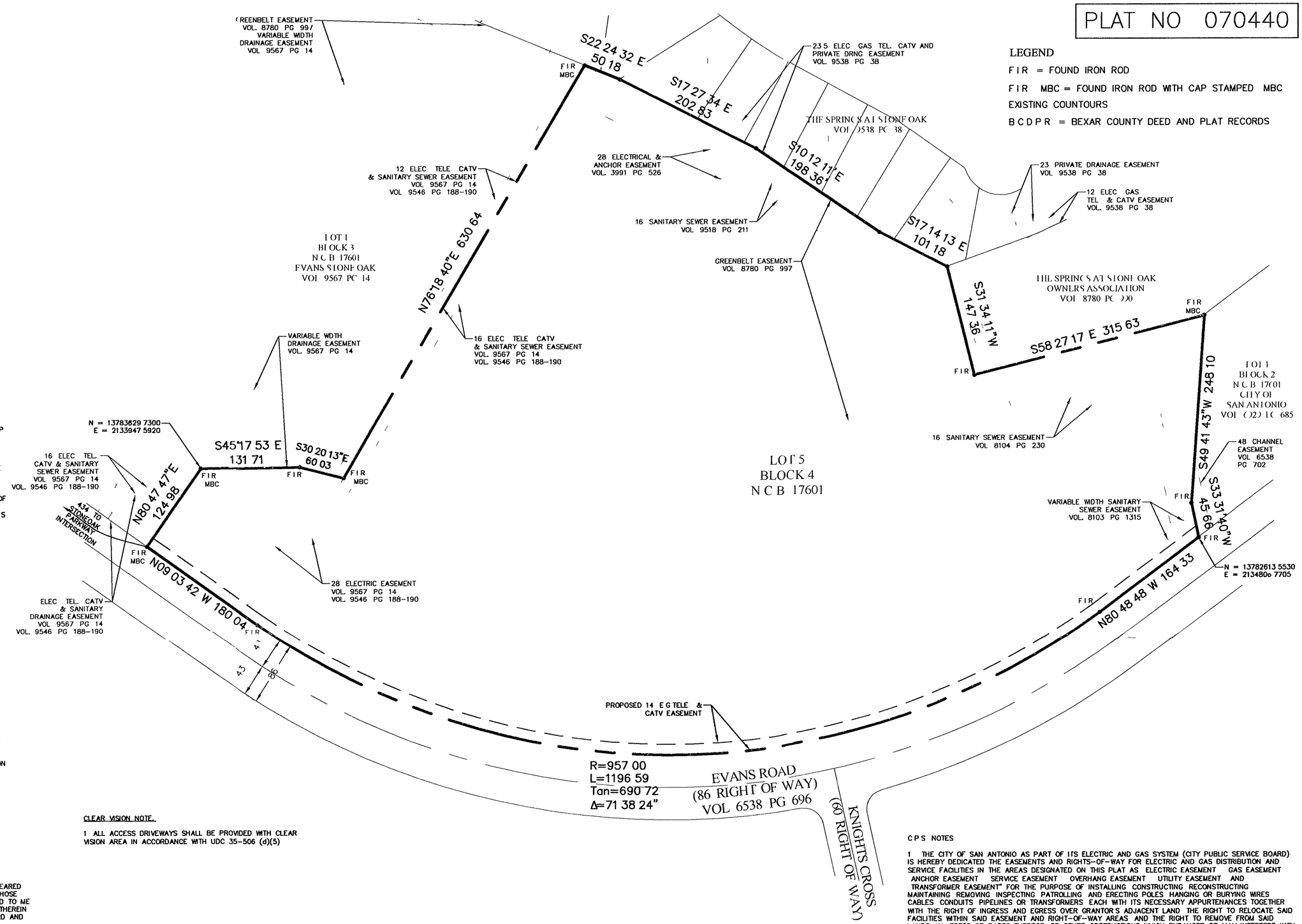
LEGEND

F I R = FOUND IRON ROD

F I R MBC = FOUND IRON ROD WITH CAP STAMPED MBC

EXISTING COUNTOURS

B C D P R = BEXAR COUNTY DEED AND PLAT RECORDS



NOTES

1 SET IRON PINS ARE 1/2 DIAMETER REBAR WITH A YELLOW PLASTIC CAP STAMPED BAKER SURVEYING

2 MONUMENTATION IS BASED ON THOSE SHOWN FOUND

3 NO STRUCTURE FENCES WALLS OR OTHER OBSTRUCTIONS THAT IMPEDE DRAINAGE SHALL BE PLACED WITHIN THE LIMITS OF THE DRAINAGE EASEMENTS SHOWN ON THIS PLAT NO LANDSCAPING OR OTHER TYPE OF MODIFICATIONS WHICH ALTER THE CROSS-SECTIONS OF THE DRAINAGE EASEMENTS AS APPROVED SHALL BE ALLOWED WITHOUT THE APPROVAL OF THE DIRECTOR OF PUBLIC WORKS THE CITY OF SAN ANTONIO AND BEXAR COUNTY SHALL HAVE THE RIGHT OF INGRESS AND EGRESS OVER GRANTOR S ADJACENT PROPERTY TO REMOVE ANY IMPEDING OBSTRUCTIONS PLACED WITHIN THE LIMITS OF SAID DRAINAGE EASEMENTS AND TO MAKE ANY MODIFICATIONS OR IMPROVEMENTS WITHIN SAID DRAINAGE EASEMENTS

4 BASIS OF BEARING IS THE TEXAS COORDINATE SYSTEM TEXAS SOUTH CENTRAL TEXAS ZONE 4204 NAD 83

NOTE FINISHED FLOOR ELEVATIONS MUST BE MINIMUM OF (8) INCHES ABOVE FINAL ADJACENT GRADE (35-504(E)(2) p 5-40)

WASTEWATER EDU NOTE

THE NUMBER OF WASTEWATER EQUIVALENT DWELLING UNITS (EDU S) PAID FOR THIS SUBDIVISION PLAT ARE KEPT ON FILE AT THE SAN ANTONIO WATER SYSTEM UNDER THE PLAT NUMBER ISSUED BY THE DEVELOPMENT SERVICES DEPARTMENT

STATE OF TEXAS

COUNTY OF BEXAR

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

_____,
EVANS REAL ESTATE LTD OWNER

STATE OF TEXAS

COUNTY OF BEXAR

BEFORE ME THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED _____ KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE 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 _____ A D _____,

_____,
NOTARY PUBLIC BEXAR COUNTY TEXAS

STATE OF TEXAS

COUNTY OF BEXAR

I HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN THIS PLAT TO THE MATTERS OF STREETS LOTS AND DRAINAGE LAYOUT TO THE BEST OF MY KNOWLEDGE THIS PLAT CONFORMS TO ALL REQUIREMENTS OF THE UNIFIED DEVELOPMENT CODE EXCEPT FOR THOSE VARIANCES GRANTED BY THE SAN ANTONIO PLANNING COMMISSION

_____,
LICENSED PROFESSIONAL ENGINEER

STATE OF TEXAS

COUNTY OF BEXAR

I HEREBY CERTIFY THAT THE ABOVE PLAT CONFORMS TO THE MINIMUM STANDARDS SET FORTH BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING ACCORDING TO AN ACTUAL SURVEY MADE ON THE GROUND BY GIBBONS LAND SURVEYING

_____,
REGISTERED PROFESSIONAL LAND SURVEYOR

CLEAR VISION NOTE.

1 ALL ACCESS DRIVEWAYS SHALL BE PROVIDED WITH CLEAR VISION AREA IN ACCORDANCE WITH UDC 35-506 (d)(5)

IMPACT FEE PAYMENT DUE WATER AND SEWER IMPACT FESS WERE NOT PAID AT THE TIME OF PLATTING FOR THIS PROPERTY ALL IMPACT FEES AT THE RATES IN EFFECT AT THE TIME OF PLAT RECORDATION MUST BE PAID PRIOR TO WATER METER SET AND/OR SEWER SERVICE CONNECTION

KFW ENGINEERS
7400 BLANCO SUITE 260
SAN ANTONIO TEXAS 78216
PHONE (210) 979-8444
FAX (210) 979-8441

SUBDIVISION PLAT ESTABLISHING
SAN ANTONIO RETIREMENT RESIDENCE

16 75 ACRE TRACT OF LAND OUT OF THE L C GROTHAUS SURVEY NO 12 ABSTRACT NO 930 COUNTY BLOCK 4936 BEXAR COUNTY TEXAS AS RECORDED IN VOLUME 7036 PAGE 1821 DEED AND PLAT RECORDS OF BEXAR COUNTY TEXAS

THIS PLAT OF SAN ANTONIO RETIREMENT RESIDENCE HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING COMMISSION OF THE CITY OF SAN ANTONIO TEXAS AND IS HEREBY APPROVED BY SUCH COMMISSION DATED THIS _____ DAY OF _____ A D 20 ____

BY _____
CHAIRMAN

BY _____
SECRETARY

OWNER/DEVELOPER
EVANS REAL ESTATE LTD
18170 EMERALD FOREST
SAN ANTONIO TEXAS 78259
PHONE (210) 375-1300
FAX (210) 375-1313

CPS NOTES

1 THE CITY OF SAN ANTONIO AS PART OF ITS ELECTRIC AND GAS SYSTEM (CITY PUBLIC SERVICE BOARD) IS HEREBY DEDICATED THE EASEMENTS AND RIGHTS-OF-WAY FOR ELECTRIC AND GAS DISTRIBUTION AND SERVICE FACILITIES IN THE AREAS DESIGNATED ON THIS PLAT AS ELECTRIC EASEMENT GAS EASEMENT ANCHOR EASEMENT SERVICE EASEMENT OVERHANG EASEMENT UTILITY EASEMENT AND TRANSFORMER EASEMENT" FOR THE PURPOSE OF INSTALLING CONSTRUCTING RECONSTRUCTING MAINTAINING REMOVING INSPECTING PATROLLING AND ERECTING POLES HANGING OR BURYING WIRES CABLES CONDUITS PIPELINES OR TRANSFORMERS EACH WITH ITS NECESSARY APPURTENANCES TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER GRANTOR S ADJACENT LAND THE RIGHT TO RELOCATE SAID FACILITIES WITHIN SAID EASEMENT AND RIGHT-OF-WAY AREAS AND THE RIGHT TO REMOVE FROM SAID LANDS ALL TREES OR PARTS THEREOF OR OTHER OBSTRUCTIONS WHICH ENDANGER OR MAY INTERFERE WITH THE EFFICIENCY OF SAID LINES OR APPURTENANCES THERETO IT IS AGREED AND UNDERSTOOD THAT NO BUILDINGS CONCRETE SLABS OR WALLS WILL BE PLACED WITHIN SAID EASEMENT AREA

2 ANY CPS MONETARY LOSS RESULTING FROM MODIFICATIONS REQUIRED OF CPS EQUIPMENT LOCATED WITHIN SAID EASE- MENT DUE TO GRADE CHANGES OR GROUND ELEVATION ALTERATIONS SHALL BE CHARGED TO THE PERSON OR PERSONS DEEMED RESPONSIBLE FOR SAID GRADE CHANGES OR GROUND ELEVATION ALTERATION

3 THIS PLAT DOES NOT AMEND ALTER RELEASE OR OTHERWISE AFFECT ANY EXISTING ELECTRIC GAS WATER SEWER DRAINAGE TELEPHONE CABLE EASEMENTS OR ANY OTHER EASEMENTS FOR UTILITIES UNLESS THE CHANGES TO SUCH EASEMENTS ARE DESCRIBED BELOW

4 CONCRETE DRIVEWAY APPROACHES AND STEPS ARE ALLOWED WITHIN THE FIVE (5) FOOT WIDE ELECTRIC AND GAS EASEMENTS WHEN LOTS ARE SERVED ONLY BY REAR LOT UNDERGROUND ELECTRIC AND GAS FACILITIES

5 ROOF OVERHANGS ARE ALLOWED WITHIN FIVE (5) FOOT WIDE ELECTRIC AND GAS EASEMENTS WHEN ONLY UNDERGROUND ELECTRIC AND GAS FACILITIES ARE PROPOSED OR EXISTING WITHIN THOSE FIVE (5) FOOT WIDE EASEMENTS

STATE OF TEXAS

COUNTY OF BEXAR

I _____ COUNTY CLERK OF BEXAR COUNTY

DO HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN MY OFFICE ON THE

_____ DAY OF _____ A.D _____ AT _____ M AND DULY RECORDED

THE _____ DAY OF _____ A D _____ AT _____ M IN THE DEED AND PLAT RECORDS OF BEXAR COUNTY

IN BOOK/VOLUME _____ ON PAGE _____

IN TESTIMONY WHEREOF WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS

_____ DAY OF _____ A D _____

COUNTY CLERK BEXAR COUNTY TEXAS

BY _____ DEPUTY

DRAWN BY JR File P \120\01\01\Design\Civil\PLAT\PL-1200101 dwg

VRP# 07-05-037

City of San Antonio File # _____
Assigned by City Staff

Development Services Department

Local Government Code Chapter 245/Article VII
Unified Development Code

Rights Determination/Consent Agreement

Intake Date: _____ **Intake By:** _____

Type: ☒ **Rights Determination** ☐ **Consent Agreement**

Instructions:
1. All applicable information must be legibly printed or typed for processing. If completed on behalf of the property owner please attach power of attorney or letter of agent.
2. Please complete and attach 2 sets of all applicable documents (i.e. this form, Master Development Plan, P.U.D. plan, plat application, approved plat, building permit) along with appropriate fee.
3. Application must contain all information to establish rights under Chapter 245 of the Local Government Code and Article VII of the Unified Development Code (UDC).
4. Any appeal of the decision of the Director to the Planning Commission will be based on information submitted to the Director for determination of rights.

Note: Must comply with the UDC, §35-B128 Rights Determination for the City of San Antonio.

Owner Harvest Development, LLC

Agent: Curry Architecture LLC

Phone: (503) 390-1090 **Fax:** (503) 390-0565

Address: 471 High St SE

City: Salem **State:** OR **Zip code:** 97301

Engineer/Surveyor: KFW Engineers **Contact:** Craig Fletcher

Address: 7400 Blanco Rd., Suite 260 **Phone#:** (210) 979-8444

City: San Antonio **State:** Texas **Zip code:** 78216

Name of Project: San Antonio Retirement Residence

Site location or address of project and legal description: Site located on the north side of Evans Road at the Evans Road/Knights Cross intersection. A 16.75 acre tract of land out of the L.C. Grothaus Survey No. 12, Abstract 930, New City Block 19219, County Block 4936, being that same 16.75 acre tract conveyed to Evans Real Estate, LTD., A Texas Limited Partnership of record in Volume 11952, Page 2439 of the Official Public Records of Bexar County, Texas.

City Council District(s): 9 **ETJ:** No **Edward's Aquifer Recharge Zone?** No

VRP# 07-05-03

File # _____
Assigned by City Staff

1. **Describe current use(s) of the property:**

   The property is currently undeveloped.

2. **Describe the specific Project and the expected use(s) to be created by this Project including the nature, extent, and density or intensity of each use for which rights are being claimed (type of development, number of buildings, type of building(s), specific use(s) of those buildings, etc.)?** *Fair Notice of the Project is required with requests based on MDPs, POADPs or plat applications.*

   (a) Nature of the project:

   The project will consist of a retirement residence with approximately 118 units.

   (b) Total land area, in square feet: 729,643 square feet

   (c) Total area of impervious surface, in square feet: 141,550 square feet

   (d) Number of residential dwellings units, by type:

   118 multi-family units

   (e) Type and amount of non-residential square footage (ground floor building footprint only): 0

   (f) Number of buildings: 4

   (g) Phases of the development (if applicable): 1

3. **List ordinances to which the Project described in item #2 above will seek exception to based on the date requested for recognition of rights.** *State specific sections of the San Antonio Municipal Code and their effective dates*:

   Ordinance No. 85262 Effective May 1, 1997

4. **Please indicate permits or development approvals received that are the basis to establish rights to complete the Project.** *Please specify all that may be applicable and include copies of the permit.*

File # _____
Assigned by City Staff

PERMIT

Type of Permit: _____ **Date of Application:** _____

Permit Number: _____ **Date issued:** _____

Expiration Date: _____ **Acreage:** _____

MASTER DEVELOPMENT PLAN (MDP) (Formerly POADP)

accepted *prior to September 1, 1997* **are subject to permit right conditions within 18 months from the effective date of the development rights ordinance (9/25/97) and projects submitted** *after September 1, 1997* **are subject to 24 months for the POADP acceptance date.** *Fair Notice required with MDP/POADP*

Name: Stone Oak #48

Date accepted: 9/19/1983 **Expiration Date:** 9/1/2007 **MDP Size:** 4,300 **acres**

P.U.D. PLAN

Name: _____ #_____

Date accepted: _____

PLAT APPLICATION

Fair Notice required with plat application

Plat Name: San Antonio Retirement Residence **Plat #** 070440 **Acreage:** 16.75

Date submitted: 4/26/2007 **Expiration Date:** 4/25/2009

(Note: Plat must be approved within 24 months of application submittal date)

APPROVED PLAT

Plat Name: _____ **Plat #**_____ **Acreage:** _____ **Approval Date:** _____ **Plat recording Date:**_____ **Expiration Date:**_____ **Vol./Pg.**_____

(Note: If plat is not recorded within 3 years of plat approval permit rights will expire)

OTHER PERMITS:

5. **Specify the amount, date and purpose of each expenditure or obligation incurred in reliance on the permits identified above (include copies of contracts):** *Please include verified or certified*

copies of all contracts, appraisals, reports, correspondence, letters, or other documents or materials upon which the Applicant's claim for rights or equitable estoppel is based. Do not include land purchase costs nor payment of taxes.

$8,641.00 4/26/2007 Plat application

6. **Requested date for claim of rights for this Project:** 9/19/1983

7. **Describe any construction or related actions that have taken place on the property since that date:** *Include the date, cost, nature and extent of each physical improvement to the property including structures, utilities, roads, driveways, etc*

April 1988, Cost Unknown, 570 L.F. of 24" Sanitary Sewer
August 1999, Cost $25,740, 455 L.F. of 8" Sanitary Sewer
March 2000, Cost $48,367, 855 L.F. of 8" Sanitary Sewer

Consent Agreements Only:

In addition to the required processing as set forth above, a request for Consent Agreement Approval shall include, but shall not be limited to the following:

- ☐ A timing and phasing plan for the proposed development;
- ☐ A plan for the provision of public facilities and services to the proposed development, by phase;
- ☐ The conditions under which the proposed development will be authorized to proceed; and
- ☐ The conditions under which approvals or permits will lapse or may be revoked.

A document shall be considered "verified" or "certified", whether an original or a copy, if it is signed by the official with decision making authority for the permit application.

8. **Sworn statement:**

VRP# 07-05-037

File # _____

Assigned by City Staff

NOTE: Filing a knowingly false statement on this document, or any attached document, is a crime under §37.02 and §37.10 of the Texas Penal Code, punishable as a state jail felony by up to two years in jail and fine of up to $10,000.

I, the undersigned, hereby certify that all information contained herein and the attached documents are true and correct and that it is my belief that the property owner is entitled to the requested rights for this Project and, during the pendency of this determination, I understand my continuing obligation to notify the Development Services Director in writing of the inaccuracy of any statement or representation which was incorrect when made or which becomes incorrect by virtue of changed circumstances.

Print name: Kristin Newland Signature: [signature] Date: 5/16/07

Sworn to and subscribed before me by KRISTIN Newland on this 16th day of May in the year 2007, to certify which witness my hand and seal of office.

OFFICIAL SEAL
MARK D LOWEN
NOTARY PUBLIC - OREGON
COMMISSION NO. 401256
MY COMMISSION EXPIRES JAN. 10, 2010

[signature]
Notary Public, State of ~~Texas~~ OREGON

Director's Decision: ☐ **Approved** ☐ **Denied**

Reviewed By: _____ Date: _____
Development Services Department

Terms and conditions required for the continuance of the rights being recognized:

This determination is valid only to the extent of the validity of the underlying permit which is the basis for this application. Further subject to all provisions for dormancy and expiration as provided in the Local Government Code Chapter 245 and Article VII of the UDC.

FN07-0061
VRP# 07-05-037

City of San Antonio

Development Services Department

Fair Notice Form

Date: _____ **Notice Number:** FN07-0061

1. *Original Fair Notice Form Number if Applicable:* N/A
2. *Existing Vested Rights Permit No. if applicable:* N/A

COSA USE ONLY

Expiration date: 7/6/2007 **Authorized Rep:** [signature]

3. ***If a permit application identified in item (6) below is not completed (Administratively) within 45 days from the filing date of this form, this notice will be null and void.***
4. ***All submittals with (*) require a site plan. A site plan shall include lot layout, general building footprint with approximate square footage of building(s), impervious cover, and land use.***
5. ***All single plat, Multiple Land Use projects must complete (# 7) of this form.***
6. ***Permit application Type (Check all appropriate boxes):***

☐ Building Permit: No._____

☒ Master Development Plan (MDP) (Formerly POADP) No.48

☐ MDP/ P.U.D. Plan (Combination) No._____

☐ Master Plan Community District (MPCD) No. _____

☐ Manufactured Home Park Plan (MHPP) No._____

☐ Flexible Development District No._____

☐ Military Airport Overlay Zone (MAOZ) No._____

☐ P.U.D. Plan No._____

☐ Mixed Use District (MXD) No._____

☐ Traditional Neighborhood Development (TND) No. _____

☐ Pedestrian Plan (PP) No._____

☐ Single-Family (Residential) Plat No._____

☐ Urban Development (UD) ☐Rural Development (RD)
☐ Farm and Ranch (FR) ☐Mix Light Industrial (MI-1)

05-22-07 A09:38 IN

05-22-07 A10:10 IN

FN07-0061

VR P# 07-05-037

City of San Antonio Development Services Department

Fair Notice Form

(Con't)

The following projects require a site plan.

A site plan shall include, lot layout, general building footprint with approximate square footage of building(s), and land use.

*☐ SAWS/ Utilities No._____ *☐ Category Determination Letter from SAWS: _____

*☐ CPS Energy/ Utilities No._____ *☐Other: _____

*☒ Application for Letter of Certification (LOC) (Subdivision Plat No. issued): 070440

The following single plat projects require a site plan:

*☒ Multi-Family *☐ Commercial *☐ Office *☐ Industrial

*☐ Multiple Land Use Projects **(Complete # 7)** *☐ Entertainment *☐ Special District

*☐ Other: _____

7. ***For all single plat, Multiple Land Use Projects please complete the following:***

(a) Single - Family: Allocation in Square Feet & Acreage _____
Use Allocation in Square Feet & Acreage _____
Density _____

(b) Multi -Family: Land Allocation in Square Feet & Acreage _____
Use Allocation in Square Feet & Acreage _____
Density _____

(c) Commercial: Land Allocation in Square Feet & Acreage _____
Use Allocation in Square Feet & Acreage _____

(d) Office: Allocation in Square Feet & Acreage _____
Use Allocation in Square Feet & Acreage _____

(e) Industrial: Allocation in Square Feet & Acreage _____
Use Allocation in Square Feet & Acreage _____

(e) Entertainment: Allocation in Square Feet & Acreage _____
Use Allocation in Square Feet & Acreage _____

(e) Other Special District(s): Allocation in Square Feet & Acreage _____
Use Allocation in Square Feet & Acreage _____

05-22-07 A10:10 IN 05-22-07 A09:33 IN 2

FN07-0061

VR P# 07-05-037

City of San Antonio Development Services Department

Fair Notice Form

(Con't)

8. **Project Name**: San Antonio Retirement Residence

Property Description: Site located on the north side of Evans Road at the Evans Road/Knights Cross intersection. A 16.75 acre tract of land out of the L.C. Grothaus Survey No. 12, Abstract 930, New City Block 19219, County Block 4936, being that same 16.75 acre tract conveyed to Evans Real Estate, LTD., A Texas Limited Partnership of record in Volume 11952, Page 2439 of the Official Public Records of Bexar County, Texas.

Owner: Harvest Development, LLC Phone: (503) 390-1090 Fax: (503) 390-0565

Address: 6715 NE 63rd St. Suite 468 City: Vancouver State WA Zip Code: 98661-1980

Agent: Curry Architecture LLC Phone: (503) 399-1090 Fax: (503) 399-0565

Address: 471 High St SE City: Salem State OR ZipCode:

Applicant: Same as Owner Phone: Fax: 97301

Address: City: State ZipCode:

Engineer/Surveyor: KFW Engineers Phone: (210) 979-8444 Fax: (210) 979-8441

Address: 7400 Blanco, Suite 260 City: San Antonio State TX ZipCode: 78216

Contact Person Name: Craig Fletcher E-mail: cfletcher@kfwengineers.com
Phone: (210) 979-8444 Fax: (210) 979-8441

Site is over/within/includes:

Edwards Aquifer Recharge Zone: ☒ Yes ☐ No San Antonio City Limits. ☒ Yes ☐ No

Council District: 9 School District: Northeast Ferguson map grid: 483A6

Owner or Authorized Representative:

I certify that this Fair Notice form is true and accurate.

Print Name: Kristin Newland Signature: [signature]

Address: 471 High St. SE City: Salem State OR ZipCode: 97301

E-mail:

NOTE: To be valid, all fields must be completed.

05-22-07 A10:10 IN 05-22-07 A09:53 IN

FN07-006 1

VRP#07-05-037

City of San Antonio
Development Services
Subdivision Section

APPLICATION FOR PLAT IDENTIFICATION NUMBER/ LETTER OF CERTIFICATION

RECEIVED 07 APR 26 PM 4:01 LAND DEVELOPMENT SERVICES DIVISION

Date Submitted: _____ **Plat ID Number:** 070440

Plat Name: San Antonio Retirement Residence

Property Address/legal: 16.75 Acre Tract South of the intersection of Evans Rd. and Stone Oak Parkway

Owner/Agent: Evans Real Estate Ltd **Phone:** (210) 375-1300 **Fax:** (210) 375-1313

Address: 18170 Emerald Forest San Antonio TX **Zip code:** 78259

Owner's Email Address _____

Engineer/Surveyor: KFW Engineers **Phone:** (210) 979-8444 **Fax:** (210) 979-8441

Address: 7400 Blanco, Suite 260, San Antonio, TX **Zip code:** 78216

Engineer's Email Address cfletcher@kfwengineers.com

1. All Specific Uses Proposed: Multi-Family (restaurant, day care, warehouse, etc.)
2. Existing Zoning MF33 Case # if new application is in process _____
3. Is this property located in the City South Management Area (CSMA) area ☑ No ☐ Yes
4. Is there a building permit associated with this plat? ☑No ☐ Yes AP # _____
5. After hours review for drainage is available at the rate of $75.00 per hour. If you would like this expedited review and agree to pay the additional fee please check this box. ☐ No ☑ Yes
6. City Council District 9 County Precinct 3052
7. Ferguson Map Grid 483 A5-6 School District North East ISD
8. ☐ DIRECTOR -OR- ☑ PLANNING COMMISSION
9. Water Service: ☐ Saws ☐ Well ☐ Other Utility (name) BexarMet Water District
10. Sewer Service: ☑ Saws ☐ Septic ☐ Other Utility (name) _____
11. San Antonio City Limits ☑ Yes ☐ No 12. Edwards Aquifer Recharge zone? ☑ Yes ☐ No
13. Previous/existing landfill? ☐ Yes ☑ No 14. Flood plain? ☐Yes ☑ No
15. Plat is associated with the development of a:
    - ☐ POADP/MDP: Y / ~~N~~ Name Stone Oak # 48 Date Approved: 9/19/1983
    - ☐ PUD: Y / ~~N~~ Name _____ # _____ Date Approved: _____

PLATTED AREA

Streets	☐ Public	☐ Private	Linear Ft _____	total acreage _____
Parks	☐ Public	☐ Private		total acreage _____
Off-Site Easements	☐ Permeable	☐ Nonpermeable		total acreage _____

Will this project be used in conjunction with a Tax Increment Financing Application (TIF): ☐ YES ☑ NO
If YES, please note that higher standards have been adopted and are required for projects that involve City funds like TIF. For complete information and application of the Tax Increment Financing (TIF) and Reinvestment Zone Guidelines and Criteria, please call the Neighborhood Action Department at (210) 207-7881. (Indicate "TIF" with Project Name on all submissions).

I hereby certify that all of the information on the entire Plat Application is true and correct.
Print Name: Craig Fletcher, P.E. **Signature:** _____
Date: 4/26/07 ☒ **Professional Engineer** ☐ **Registered Professional Land Surveyor**

I hereby grant permission to the Director of Development Services to record this plat.
Print Name: STEVE SARFANI **Signature:** _____
Date: 4/17/07 ☒ **Owner** ☐ **Agent (Checking this requires a notarized Letter of Agent.)**

FN07-0061

VRP# 07-05-037

FEES (please refer to the current fee schedule)

City Fees (Required for all plats)

☐ **Minor** — Lots # ___ x $58.71 per lot = $ _____

	Acres		Base Fee:	
0-3 Acres	_____		$ 395.00	$ _____
3.01-10 Acres	_____		$ 605.00	$ _____
10.01-20 Acres	_____		$ 875.00	$ _____
>20 Acres	_____	x $110 = _____ +	$1410.00	$ _____
TOTAL	_____ (acres*)			

☑ **Major** — Base Fee: $425.00 — $ 425.00

	Acres	Lots		
Single-Family	_____	_____	x $64.00 per lot =	$ _____
Non-Single Family	16.75	1	x $480.00 per acre =	$ 8,040.00
Private Streets, Common Area, Easements & Other (NSF acreage fee)	_____	_____	x $480.00 per acre =	$ _____
Drainage, Conservation, landscape esmts	_____	_____	exempt if Permeable	
Open Space, Parks, greenbelt esmts (designate as "Permeable" on the plat or pay NSF fee)				
Right-of-Way	_____	Exempt		
TOTAL	16.75	_____		

* Total acreage as it appears on the plat

Amending	$ _____
Deferral	$ _____
Development Plat	$ _____
Notification Fee	$ _____
Parks & Rec	$ 140.00
Replat PH	$ _____
Vacating Declaration	$ _____
Recordation	$ 36.00
TOTAL CITY FEE	$ 8,641.00

Recording: Legal Document(s) $ _____ Plats $36 X 1 Sheets =

County Fees (Required for ETJ/OCL plats)

☐ **Minor** — Lots # _____ x $42.39 per lot = $ _____

	Acres		Base Fee:	
0-3 Acres	_____		$ 430.00	$ _____
3.01-10 Acres	_____		$ 580.00	$ _____
10.01-20 Acres	_____		$ 775.00	$ _____
>20 Acres	_____	x $80 = _____ +	$1160.00	$ _____
TOTAL	_____ (acres*)			

Amending $ _____

☐ **Major** — Base fee: $450.00 — $ _____

	Acres	Lots		
Single-Family	_____	_____	x $46.21 per lot =	$ _____
Non-Single Family	_____	_____	x $345.00 per acre =	$ _____
Private Streets	_____	_____	x $46.21 1 lot =	$ _____
TOTAL	_____ (acres*)	_____ (lots)		

TOTAL COUNTY FEE: $ _____

(Only complete, legible applications will be accepted 1 original and 6 copies must be submitted.)

TOTAL FEE (Both City & County): $ 8,641.00

Letter of Transmittal

KFW ENGINEERS

Date: June 8, 2007

To: City of San Antonio
Attn: Larry Odis
Address: 1901 S. Alamo
San Antonio, TX 78204

From: KFW Engineers
Attn: Jacob Helfer
Address: 7400 Blanco, Suite 260
San Antonio, TX 78216

Re: San Antonio Retirement Residence (Plat No. 070440)

- 1 Response Letter to Comment
- 2 POADP 48 with tract identified

Larry,

We have identified the tract on the attached POADP. We are looking forward to an approval from your office.

Thanks,
Jacob

07 JUN -8 PM 4:09
LAND DEVELOPMENT
SERVICES DIVISION

TR P# 07-05-037R

7400 Blanco, Suite 260, San Antonio, Texas 78216 ● Phone: (210) 979-8444 ● Fax: (210) 979-8441 ● www.kfwengineers.com

May 6, 2007

Mr. Fernando J. De Leon, P.E.
Assistant Director Development Services Department
Land Development Division
City of San Antonio Department of Development Services
1901 South Alamo Street
San Antonio, TX 78283-3966

Re: Rights Determination File # 07-05-037 (San Antonio Retirement Residence)

Dear Mr. De Leon:

In response to your comments dated May 30, 2007 on the above referenced project, please find attached POADP #48 for Stone Oak with the site location indicated.

Please make a determination at your earliest convenience. Should you need additional information, please contact me at (210) 979-8444 or fax at (210) 979-8441.

Sincerely,
KFW Engineers

Craig Fletcher, P.E.
Principal

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VP #07-05-037R

City of San Antonio

Development Services Department

Rights Determination/Consent Agreement

Completeness Review

Note: All Applications must comply with the Unified Development Code (UDC), §35-B128 Vested Rights Determination for the City of San Antonio.

An Application for a Rights Determination shall contain at least the following information:

1. Appropriate filing fee:

- $160 homestead property (1 lot up to 3 acres)
- $500 single family residential (greater than 1 lot or 3 acres)
- $500 commercial

2. Completed application form:

- Name and address of Applicant;
- Project description and name of subdivision or development, if applicable;
- A legal description of the property;
- Description of current use;
- Project description including total land area, impervious cover, number of dwelling units by type, non-residential square footage; and phases of the development;
- Complete permit history and expenditures or obligations incurred in reliance on such permits. Include verified or certified copies of all development permits, contracts, appraisals, reports, correspondence, letters, or other documents or materials upon which the Applicant's claim for vested rights or equitable estoppel is based;
- Date for claim of rights based on permit history;
- Description of construction or related actions that have taken place on the property since the date for which rights are claimed;
- A Sworn Statement, in a form prescribed by the City, and signed by the Applicant; and

3. Fair Notice Form including the items specified by §35-B132 *(required effective February 5, 2007 for all rights determinations based on MDPs, POADPs, or plat applications.)*

In addition to the required processing as set forth above, an Application for Consent Agreement Approval shall include, but shall not be limited to the following:

- A timing and phasing plan for the proposed development;
- A plan for the provision of public facilities and services to the proposed development, by phase;
- The conditions under which the proposed development will be authorized to proceed; and
- The conditions under which approvals or permits will lapse or may be revoked.

A document shall be considered "verified" or "certified", whether an original or a copy, if it is signed by the official with decision making authority for the permit application.

☑ **Accepted** ☐ **Rejected**

Completeness Review By: Michelle A. Hunter **Date:** 22 MAY 07

VRP# 07-05-037