



City of San Antonio, Texas

Department of Development Services

December 4, 2006

Matt Purdy
Gibbons Surveying & Mapping Inc.
150 W. Rhapsody
San Antonio, TX 78216

RE: Vested Rights Permit File: # 07-11-009 (Turtle Creek Park)

Dear Mr. Purdy:

We have reviewed your application for Vested Rights that was submitted on November 13, 2006. Based on the information provided the following are our official findings:

Approval rights effective May 3, 2001 for 63,685 S.F. of commercial self-storage unit development, consistent with Fair Notice Form 07-0004 and plat #010409.

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 Michael Herrera at 207-7038.

Sincerely,

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

PICKED UP BY: _____

DATE: _____



City of San Antonio
Development Services Department
Vested Rights Determination/Consent
Agreement
APPLICATION

Permit File: # _____
Assigned by city staff

Date: _____

Vested Rights Permit

Consent Agreement

1. All applicable information on application must be legibly printed or typed for processing. *If application is completed on behalf of the property owner please attach power of attorney or letter of agent.*
2. Please complete subject of application and attach 2 sets of all applicable documents (i.e. this application, Master Development Plan, P.U.D. plan, plat application, approved plat, building permit) along with appropriate fee.

Note: All Applications must comply with the Unified Development Code (UDC), Section 35-B124 Vested Rights Determination for the City of San Antonio.

(a) Owner: Showcase Custom Homes of Texas, Inc.

(b) Agent: Norman Unger

Phone: (210) 408-7887 Fax: _____

Address: 20202 US HWY 281 N, Suite 105

City: San Antonio State: TX Zip code: 78258

Engineer/Surveyor: Gibbons Surveying & Mapping, Inc. Contact: Matt Purdy

Address: 150 W. Rhapsody Phone#: (210) 366-4600ext14

City: San Antonio State: TX Zip code: 78216

(c) Name of Project: Turtle Creek Park

(d) (k) Site location or address of Project and Legal description:

Lot 11, Block 1, NCB 14281 Commercial
recorded in Vol. 9558, Pg. 118

Located west of Datapoint Dr. between Parkdale St. & Gardendale St.

Council District 8 ETJ NO Over Edward's Aquifer Recharge? () yes (X) no

3. What is the specific Project and the expected use(s) to be created by this Project (type of development, number of buildings, type of building(s), specific use(s) of those buildings, etc.)? *Please be aware that the city must understand exactly what this Project is expected to accomplish in order to evaluate this application.*

(d) Total land use, in square feet 63,685 Square Feet

(e) Total area of impervious surface, in square feet 63,048

(f) Number of residential dwellings units, by type; N/A

(g) Type and amount of non-residential square footage; 63,685 Sq. Ft. Self-Storage Units

(h) Phases of the development, (If Applicable); N/A

4. What is the date the applicant claims rights vested for this Project? May 3, 2001

(i) 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;

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."

4 a. What, if any, construction or related actions have taken place on the property since that date?

None

5. By what means does the applicant claim rights vested for this Project? *Please specify all that may be applicable.*

• 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 18 months for the POADP acceptance date.

Name: _____ # _____

Date accepted: _____ Expiration Date: _____ MDP Size: _____ acres

● **P.U.D. PLAN**

Name: _____ # _____

Date accepted: _____

● **Plat Application**

Plat Name: Turtle Creek Park Plat # 010409 Acreage: 3.027

Date submitted: 05/03/01 Expiration Date: _____

(Note: Plat must be approved within 18 months of application submittal date).

● **Approved Plat**

Plat Name: Turtle Creek Park Plat # 010409 Acreage: 3.027 Approval

Date: _____ Plat recording Date: 8/01/03 Expiration Date: _____ Vol./Pg. 9558/118

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

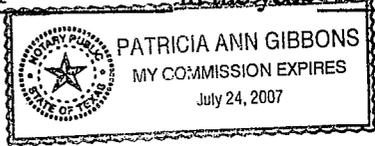
● **Other**

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 hereby certify that all information this Application and the attached documents is true and correct and that it is my belief the property owner is entitled to Vested Rights for this Project.

Print name: Matt Purdy Signature: *Matt Purdy* Date: 10/11/06

Sworn to and subscribed before me by Matt Purdy on this 11th day of October in the year 2006, to certify which witness my hand and seal of office.



Patricia Ann Gibbons
Notary Public, State of Texas

City of San Antonio
Development Services Department
Fair Notice Form



Date: _____ Notice Number: FN07-0004

1. Original Fair Notice Form Number if Applicable: _____
2. Existing Vested Rights Permit No. if applicable: _____

| | |
|----------------------------------|------------------------------------|
| COSA USE ONLY | |
| Expiration date: <u>12/28/06</u> | Authorized Rep: <u>[Signature]</u> |

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):

- | | |
|--|--|
| <input type="checkbox"/> Building Permit: No. _____ | <input type="checkbox"/> Military Airport Overlay Zone (MAOZ) No. _____ |
| <input type="checkbox"/> Master Development Plan (MDP) (Formerly POADP) No. _____ | <input type="checkbox"/> P.U.D. Plan No. _____ |
| <input type="checkbox"/> MDP/ P.U.D. Plan (Combination) No. _____ | <input type="checkbox"/> Mixed Use District (MXD) No. _____ |
| <input type="checkbox"/> Master Plan Community District (MPCD) No. _____ | <input type="checkbox"/> Traditional Neighborhood Development (TND) No. _____ |
| <input type="checkbox"/> Manufactured Home Park Plan (MHPP) No. _____ | <input type="checkbox"/> Pedestrian Plan (PP) No. _____ |
| <input type="checkbox"/> Flexible Development District No. _____ | <input checked="" type="checkbox"/> Single Family (Residential) Plat No. <u>010409</u> <u>commercial plat</u> |
| <input checked="" type="checkbox"/> Urban Development (UD) | <input type="checkbox"/> Rural Development (RD) |
| <input type="checkbox"/> Farm and Ranch (FR) | <input type="checkbox"/> Mix Light Industrial (MI-1) |

2/16/06

VRP# 07-11-009

11-13-06A07:53 RCVD 1

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): _____

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 63,685 SqFt, 1.462 ac
 Use Allocation in Square Feet & Acreage 63,048 SqFt, 1.447 ac

(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 _____

2/16/06

VRP# 07-11-009

11-13-06A07:53 RCVD

City of San Antonio Development Services Department
Fair Notice Form
(Con't)

8. **Project Name:** Turtle Creek Park
Property Description: Lot 11, Block 1, New City Block 14281

Owner: Showcase Custom Homes of Texas, INC Phone: (210) 408-7887 Fax: _____

Address: 20202 US HWY 281 N, Suite 105 City: San Antonio State TX Zip Code: 78258

Agent: Norman Unger Phone: (210) 408-7887 Fax: _____

Address: 20202 US HWY 281 N, Suite 105 City: San Antonio State TX Zip Code: 78258

Applicant: Showcase Custom Homes of Texas, INC Phone: (210) 408-7887 Fax: _____

Address: 20202 US HWY 281 N, Suite 105 City: San Antonio State TX Zip Code: 78258

Engineer/Surveyor: Gibbons Surveying Phone: (210) 366-4600 Fax: (210) 366-4673

Address: 150 W. Rhapsody City: San Antonio State TX Zip Code: 78216

Contact Person Name: Matt Purdy E-mail: mattpurdy@gibbonsSurveying.com
Phone: (210) 366-4600 ext. 14 Fax: (210) 366-4673

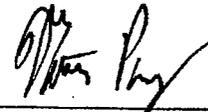
Site is over/within/includes:

Edwards Aquifer Recharge Zone: Yes No San Antonio City Limits: Yes No

Council District: 8 School District: Northside ISD Ferguson map grid: 549 B6

Owner or Authorized Representative:

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

Print Name: Matt Purdy Signature: 

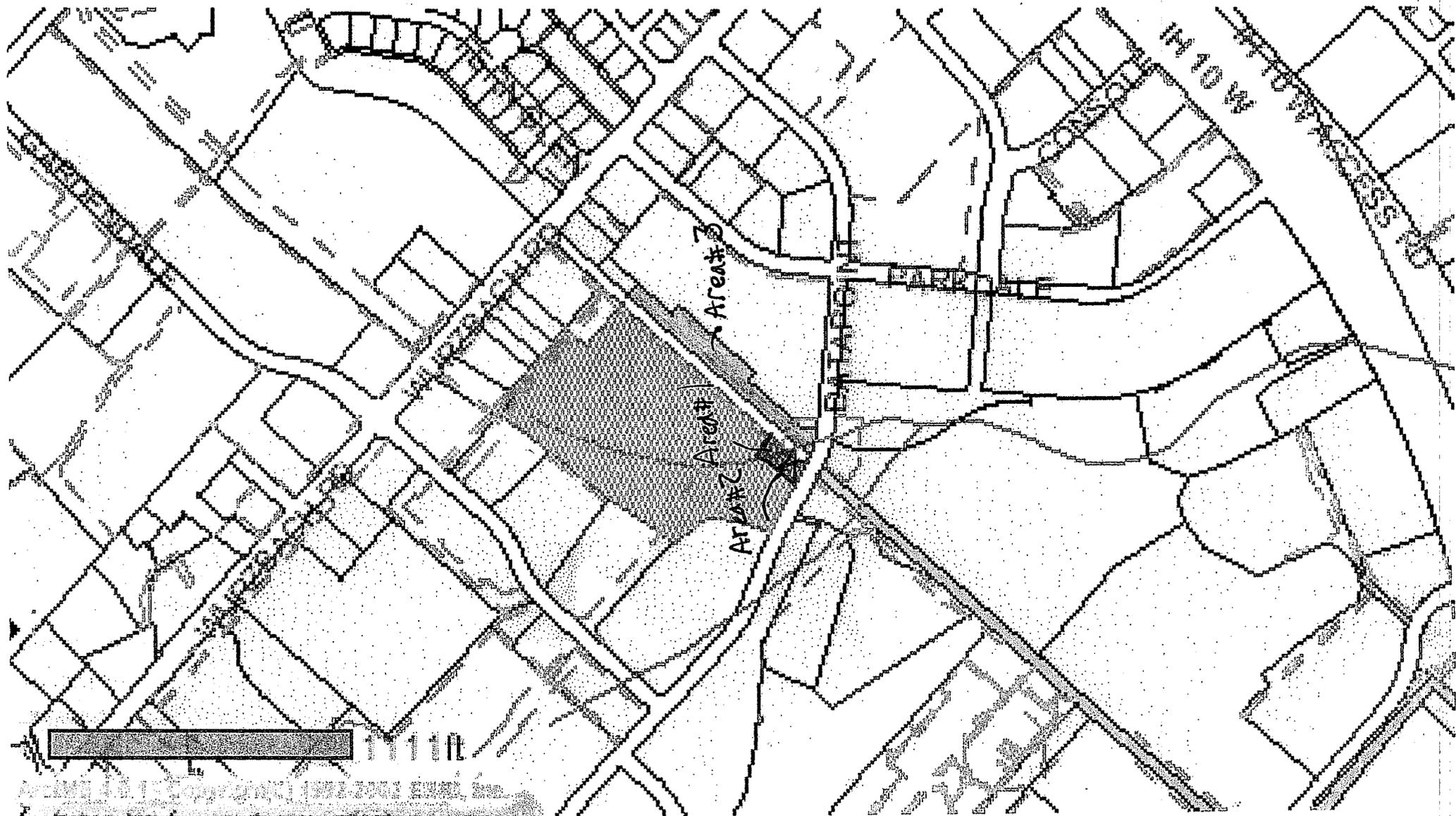
Address: 150 W. Rhapsody City: San Antonio State TX Zip Code: 78216

E-mail: mattpurdy@gibbonssurveying.com

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

DADR 06:90490-20-40
11-13-06A07:51 RCVD

VRP# 02-11-009



VRP # 06-03-038

copy

Plat Tracking System

| | | |
|---------------------------|-------------------|---------------------------------------|
| Plat #: | Plat Name: | Agency: |
| 2001000409 | | DS - Development Services |
| Select Option: | | |
| Completeness Review - 417 | | <input type="button" value="Search"/> |

Completeness Review Clocks

Plat Number: 2001000409

Plat Name: TURTLE CREEK PARK

Agency: DEVELOPMENT SERVICES

Application Date: 05-03-2001

| Staff Name: | Agency | Days: | Status: | Agency Date: | Days Remaining: | Due Date: | Note: |
|---------------|--------|-------|----------|--------------|-----------------|------------|-------|
| GARY BALBAUGH | | | Running | 09-18-2001 | 5 | 09-25-2001 | |
| | | | Complete | 03-15-2002 | 0 | | |

REVIEWS COMPLETED

Start: 09-18-2001

DaysRemaining:

Due Date: 09-25-2001

11-13-06A07:51 RCVD

VRP# 7-11-009



City of San Antonio
Development Services Department
Vested Rights Permit Application
Completeness Review



Note: All Applications must comply with the Unified Development Code (UDC), Section 35-B124 Vested Rights Determination for the City of San Antonio.

Required Items: Section 35-B124, Vested Rights' Determination

An Application for a Vested Rights Determination shall be made by the Applicant on a form established for such purpose and provided by the City and shall contain at least the following information:

- 1. Appropriate filing fee.
2. Section 35-B124
(a) Name and address of Applicant;
(b) Project description and name of subdivision or development, if applicable;
(c) Location of development;
(d) Total land area, in square feet;
(e) Total area of impervious surface, in square feet;
(f) Number of residential dwelling units, by type;
(g) Type and amount of non-residential square footage;
(h) Phases of the development, if applicable;
(i) 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;
(j) A Sworn Statement, in a form prescribed by the City, and signed by the Applicant; and
(k) A legal description of the Property

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: [Signature] Date: 13 NOV 06

VRP# 07-11-009

MACINA • BOSE • COPELAND and ASSOCIATES, INC
CONSULTING ENGINEERS AND LAND SURVEYORS

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

ENGINEERS

August 20, 2001

Sam Mills
San Antonio Water System
Subdivision Review Section
1222 N. Main 5th Floor
San Antonio, Texas 78212

Dear Mr. Mills,

As requested, the following is a clarification of the expected wastewater flow to be generated at the Turtle Creek Park Subdivision, Plat No. 010409. These two commercial lots will consist of an office building site (19,600 square foot of space) and mini-storage site, with a total wastewater production rate of 10.2 E.D.U.'s.

If you have any questions, please feel free to contact us at your convenience.

Very Truly Yours,

MACINA • BOSE • COPELAND AND ASSOCIATES, INC.



SAMUEL B. BLEDSOE, P.E.

SBB/mns

11-13-06A07:51 RCVD

VRP#07-11-009



MACINA • BOSE • COPELAND AND ASSOCIATES, INC

CONSULTING ENGINEERS AND LAND SURVEYORS

1035 Central Parkway North, San Antonio, Texas 78232

(210) 545-1122 FAX (210) 545-9302

To: SAN ANTONIO WATER SYSTEM Project No. 1-8051

Date 8/17/01

CYPRESS TOWER

1222 NORTH MAIN, Ste. 502

Re: TURTLE CREEK PARK

Attn: Roxanne Lampman

SAWS Job. #010409

GENTLEMEN:

WE ARE SENDING YOU Attached Under separate cover via _____ the following items.

Shop Drawings Prints Plans Samples Specifications

Copy of Letter Change Order PLAT APPROVAL REQUEST

| COPIES | DATE | NO. | DESCRIPTION |
|--------|------|-----|--|
| | | 4 | Subdivision Plats |
| | | 1 | SAWS application for sewer/water service |
| | | 1 | Well Letter |
| | | 1 | SAWS Checklist |
| | | 1 | COSA Completeness Review Form |
| | | 1 | Letter Edu. Calculations |

THESE ARE TRANSMITTED as checked below:

- For your approval Approved as submitted Resubmit _____ copies for approval
- For your use Approved as noted Submit _____ copies for distribution
- As requested Returned for corrections Return _____ corrected prints
- For review and comment _____
- FOR BIDS DUE _____ PRINTS RETURNED AFTER LOAN TO US

REMARKS: This project consists of platting 2 lots in an established commercial area with existing facilities. If you have any questions, please give me a call. Thanks.

11-13-06A07:51 RCVD

COPY TO: _____

VRP#07-11-009

Anita P. Molina



City Public Service
of
San Antonio, Texas

October 8, 2001

Macina Bose Copeland & Associates, Inc.
Attn: Samuel Bledsoe
1035 Central Parkway North
San Antonio, TX 78232

MACINA BOSE COPELAND
Received

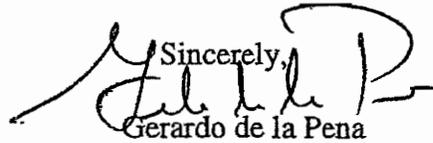
OCT 12 2001

Dear Mr. Bledsoe:

SUBJECT: Turtle Creek Mini Storage.

Reference your letter, dated October 1, 2001, I approved the plat for subject project. However, the site plan submitted shows buildings A, B, C & D to be encroaching into the City Public Service (CPS) easement. These facilities cannot be built on a CPS easement.

We are committed to working with you to assure the successful completion of your project. If you have any questions please call me at (210) 353-2553

Sincerely,

Gerardo de la Pena

Engineer, Transmission & Distribution 3
Large Commercial & Subdivision Planning

11-13-06A07151 RCVD

VRP# 07-11-009

TRACT II TURTLE CREEK SELF-STORAGE

November 5, 2001

Easements Requested of C.P.S. are to Permit:

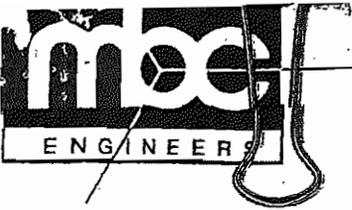
1. Blacktop paving over the 40 ft. X 890 ft. C.P.S. property to allow vehicles to drive on.
2. Fence with C.P.S. accessible gates across the 40 Ft. East & West C.P.S. property lines.

Easement to be Granted by Turtle Creek Self Storage:

1. A 20 ft. X 90 ft. Utility Easement running North and South cutting through the center of the property where the existing poles are.

11-13-00 407:51 RCVD

VRP# 07-11-009



MACINA • BOSE • COPELAND and ASSOCIATES, INC
CONSULTING ENGINEERS AND LAND SURVEYORS

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

October 1, 2001

Mr. Jerry DelaPeña
City Public Service
P.O. Box 1771
San Antonio, Texas 78296-1771

Re: Turtle Creek Mini-Storage

Dear Mr. DelaPeña,

This letter follows up our recent discussion regarding the use of the C.P.S. right-of-way adjacent to the proposed mini-storage development. A site plan is attached for your reference, it was indicated that this right-of-way could be incorporated into the driveway and parking areas of the project, but could not be used as a building site. In return, our project would provide access gates at each end of the project. We will also provide an easement across the site for an overhead line currently serving the adjacent apartment complex.

If this is also your understanding and is agreeable with C.P.S., please let me know

Very Truly Yours,

MACINA • BOSE • COPELAND AND ASSOCIATES, INC.

SAMUEL B. BLEDSOE, P.E.

SBB/mns

11-13-05AC7:52 RCVD

VRP# 07-11-009



City of San Antonio
Development Services Department
LETTER OF CERTIFICATION

March 15, 2002

PLAT NO.: 0 1 0 4 0 9

SUBDIVISION: Turtle Creek Park

TO: M. B. C. Engineers
1035 Central Parkway N.
San Antonio, Texas 78232

The required data for streets, storm drainage, traffic, Texas plane coordinates, tree preservation, and subdivisions for the aforementioned subdivision has been received in accordance with section 35-431 of the Unified Development Code (U.D.C.) and approved by this department.

Improvements are required to:

streets

storm drainage

sidewalks

on plat

on building permit

This plat is not within the 100-year flood plain.

Storm water development fee is required in the amount of \$9,081.30

Gary R. Balbaugh

Gary R. Balbaugh
Subdivision Coordinator

Rev. 12/01

VRP#07-11-009

11-17-05A07:52 RCVD