



October 3, 2024

Logan Sparrow, AICP
Development Services Department
City of San Antonio
1901 S. Alamo, 1st Floor
San Antonio, Texas 78204

Re: Appeal of City of San Antonio's Decision Regarding RD 24-12500017 – This Request Being 179.56- acres (129 acres South of Kyle Seale Parkway and 50.56 acres North of Kyle Seale Parkway) Located at Kyle Seale Parkway and Loop 1604 in the City of San Antonio, Bexar County, Texas, (the "Subject Property"; *Our File No. 1124.001*).

Dear Mr. Sparrow:

As we previously discussed with you, we are in receipt of your Rights Determination denial letter of September 19, 2024 (copy attached).

Please accept this letter as an appeal made pursuant to the City of San Antonio's ("COSA") Unified Development Code ("UDC") § 35-712(d). COSA's Rights Determination denial letter stating that vested rights could not be acknowledged for the Project because it fails to satisfy the requirements of Sections 35-714 and 35-412(i)(1)(B) of the UDC. It is our contention that the Project does meet those requirements.

Notwithstanding the foregoing, however, at this time, we would ask that this appeal not be placed on any a Planning Commission agenda, pending our ongoing efforts to negotiate a consent agreement with the City pursuant to the provisions of the UDC.

Sincerely,

BROWN & MCDONALD PLLC

BY: Caroline McDonald

Caroline McDonald

Enclosure



DEVELOPMENT SERVICES

September 19, 2024

Brown & McDonald PLLC
Caroline McDonald
100 NE Loop 410 Suite 1385
San Antonio, TX 78216

RE: Rights Determination - RD 24-12500017 Seale

Dear Ms. McDonald:

The Development Services Department reviewed and evaluated Rights Determination Application No. 24-12500017, including the supporting information submitted by the applicant, and the application is denied. The denial of your request is based on the following reasons, but not limited thereby:

1. The Rights Determination Application does not provide sufficient information to establish rights in accordance with the provisions of Chapter 245 of the Texas Local Government Code and Chapter 35 of the City Code of the City of San Antonio, Texas regarding recognition of statutory rights.
2. The underlying permit Kyle Seale Ranch POADP 286 is considered invalid.
3. There is no supporting documentation to show at least one (1) plat every five (5) years after initial validity; or through expenses at least \$1,000,000.00 in expenditures from January 1, 2016 to January 1, 2021, as outlined in Section 35-412 (I) (1)(B) Maintaining Validity.

All appeals and resubmitted information must be in writing and filed with the Director of Development Services within fifteen (15) calendar days from the date the applicant is notified of the decision or action taken under these requirements. Appeals and re-submittals made after fifteen (15) calendar days will not be accepted. If you have further questions please contact Valerie Rodriguez, Senior Planner, at (210) 207-0533.

Sincerely,

A handwritten signature in black ink, appearing to read "Logan Sparrow".

Logan Sparrow, AICP
Interim Assistant Director
Development Services Department