

DRAFT

MINUTES REGULAR MEETING June 8, 2021

A Regular Meeting was held by the Schertz City Council of the City of Schertz, Texas, on June 8, 2021, at 6:00 p.m. in the Hal Baldwin Municipal Complex Council Chambers, 1400 Schertz Parkway, Building #4, Schertz, Texas. The following members present to-wit:

Present: Mayor Ralph Gutierrez; Mayor Pro-Tem Jill Whittaker; Councilmember Mark Davis; Councilmember Rosemary Scott; Councilmember Michael Dahle; Councilmember David Scagliola; Councilmember Allison Heyward; Councilmember Tim Brown

City Staff: City Manager Dr. Mark Browne; Assistant City Manager Brian James; Assistant City Manager Charles Kelm; City Attorney Daniel Santee; City Secretary Brenda Dennis; Assistant to the City Manager Sarah Gonzalez; Deputy City Secretary Sheila Edmondson

Call to Order

Mayor Gutierrez called the meeting order at 6:00 pm.

Opening Prayer and Pledges of Allegiance to the Flags of the United States and State of Texas. (Councilmember Heyward)

Councilmember Heyward provided the opening prayer followed by the Pledges of Allegiance to the Flag of the United States and the State of Texas.

Presentations

- **Schertz 4th of July Schedule** - Presentation regarding the Schedule of Events for the Schertz 4th of July Jubilee. (B. James/L. Shrum/M. Spence)

Mayor Gutierrez recognized Events Manager Mary Spence who provided a PowerPoint presentation regarding the 4th of July Jubilee events.

Mayor Gutierrez recognized the following Councilmembers:

- Councilmember Michael Dahle stated he was looking forward to the Jubilee.
- Councilmember Rosemary Scott had some questions about the event. She wanted to know if the route for the parade is going to hinder churchgoers since the parade starts at 9:30 am. Events Manager Mary Spence reassured her that the parade route will not hinder residents wishing to get out of their subdivision. There will be police officers stationed at each intersection of the parade route to assist directing traffic as needed.
- Mayor Pro-Tem Whittaker asked if moving the 4th of July Jubilee to Monday, July 5th, 2021 was considered since July 4th, 2021 falls on a Sunday. Her concerns were about the start time of the parade coincided with many residents going to church. She also asked if we were strictly using

commercial food trucks vs. individual food vendors. Events Manager Mary Spence said they have migrated towards using the food trucks because logistically it was easier to have food trucks set up and depart quickly after the event.

- Councilmember Scagliola asked there were going to be a Posting of the Colors or ROTC after the National Anthem. Events Manager Mary Spence explained since the schedule of events are broken up and start at different times of the day, they won't be set up to have a formal opening when activities resume at 5:30 pm.
- Mayor Gutierrez wanted to make sure the gates over by the tennis courts are open for the Curtiss area because they will be blocked from the parade. Events Manager Mary Spence reassured the Mayor that the officer assigned to that area will have the gates open and traffic can come and go around the parade route.
- Dr. Mark Browne stated that it is not the fault of the Parks Dept that they are doing this on Sunday, July 4, 2021. This date was on the Master Calendar since December 2020 as they approved it.
- Mayor Gutierrez stated it was also City Council's responsibility to have noticed that July 4th, 2021 was on a Sunday when the Master Calendar was provided to them.

City Events and Announcements

- Announcements of upcoming City Events (B. James/C. Kelm/S. Gonzalez)

Mayor Gutierrez recognized Assistant City Manager Brian James who provided the following announcements:

- Saturday, June 12th

Nature Discovery Series

“Discover Clues and Traces” – Find what animals leave behind Crescent Bend Nature Park
10:00 AM-11:00 AM - Pre-registration is required by visiting Schertz.com/parks-recreation

Music & Movies in the Park

Pickrell Park, 703 Oak Street

Music--Austin Forrest, 7:00 PM

Movie--“Abominable”, 8:30 PM

- Tuesday, June 15th

Council on the Go Meeting

Ray Corbett Jr. High School Cafeteria, 12000 Ray Corbett Drive

6:00 PM – 6:30 PM – Meet and Greet

6:30 PM – 8:30 PM – Meeting

- Tuesday, June 1st -Sunday, June 27th

The Alamo Area Metropolitan Planning Organization is seeking your input from June 1st to 27th as they develop their two transportation plans. This goes into which projects get funded: (1) is the additional 18 million dollars for FM 1518 from I-10 to FM 78; Cibolo, Selma and Garden Ridge has some projects as well.

We are encouraging citizens to go on-line, the Alamo Regional Planning Organization website - "Your Move" is how they are marketing this. Your feedback will help them identify what is most important when it comes to their future transportation system. It will also help them prioritize projects to award federal transportation funding. Go to

www.alamoareampo.org/yourmove to learn more.

In addition to the online survey, please join them on:

Tuesday, June 15th
Virtual Public Meeting
6:00 PM

Hear a presentation from staff, submit your input, and review feedback already received regarding the future transportation system. Connect with the meeting through their website at www.alamoareampo.org/yourmove or watch live on Facebook

- Saturday, June 19th

Music & Movies in the Park
Pickrell Park, 703 Oak Street
Music--Mr. Will (Kids Music), 7:00 PM
Movie--“Ralph Breaks the Internet”, 8:30 PM

- Tuesday, June 22nd

Next regular scheduled Council meeting

- Announcements and recognitions by the City Manager (M. Browne)

City Manager Dr. Browne emphasized the importance of the MPO project on FM 1518, it's the northern section of the project that is unfunded. They would take into considerations our residents and council input on that project. Participation in the MPO process of this project is going to be important for getting this project complete.

- Announcements and recognitions by the Mayor (R. Gutierrez)

Mayor Gutierrez stated that he would like to re-emphasize the emphasis on the MPO, it is very important. This is exactly how FM 1518 got funded. It is very important for us as residents to go out there and provide our input for the roads that need attention. Please go and submit your responses so that we can effectively make an impact on the input of our area.

Hearing of Residents

This time is set aside for any person who wishes to address the City Council. Each person should fill out the speaker's register prior to the meeting. Presentations should be limited to no more than 3 minutes.

All remarks shall be addressed to the Council as a body, and not to any individual member thereof. Any person making personal, impertinent, or slanderous remarks while addressing the Council may be requested to leave the meeting.

Discussion by the Council of any item not on the agenda shall be limited to statements of specific factual information given in response to any inquiry, a recitation of existing policy in response to an inquiry, and/or a proposal to place the item on a future agenda. The presiding officer, during the Hearing of Residents portion of the agenda, will call on those persons who have signed up to speak in the order they have registered.

Mayor Pro-Tem Whittaker recognized the following residents who spoke:

- Mr. Frank Brown, 408 Roanoke Dr.- Mr. Brown has concerns about a drainage ditch problem that has approx. 6-8 inches of silt and grass that causes the water to back up on to the street when it rains. This has caused numerous car accidents over the years because of cars hydroplaning on slick roads. He would like the City to clean out that area which will help the water drain. Mr. Brown also asked about getting signage placed on the barrier where the water goes into the drainage ditch that has reflective arrows pointing left or right for drivers. He also asked if a speed hump could be placed at 408 or 500 Roanoke Dr. to let drivers know 20mph mean 20mph. Councilmember Scagliola let Mr. Frank Brown know that the right forum to bring up his concerns would be the Traffic and Safety Advisory Commission which meets the first Thursday of the month. Assistant City Manager Brian James said he would get Mr. Brown the information about TSAC meetings.
- Ms. Maggie Titterington, 1730 Schertz Pkwy.- Ms. Titterington wanted to reiterate the MPO Projects were posted on their Facebook page, Community Page and was sent out to members. The Chamber already picked the five projects that effects our area directly and are encouraging members to take the survey. The Chamber celebrated their 16th Anniversary and Ms. Titterington thanked all those who came out and celebrated with them. The Chamber Luncheon is June 15, 2021, and will have Mr. Jason Mezza from the Better Business Bureau to speak about the "7 Ways to Boost Your Digital Reputation". The Chamber Bowl will be August 20, 2021, and this is the annual fundraiser for the DECA Scholarship Program. Ms. Titterington also wanted to remind everyone to Save the Date for the REMAX Skylight Balloon Fest on Oct. 22-24, 2021.
- Ms. Ethel Ward, 414 Brook Ave.- Ms. Ward brought up concerns about the 4th of July Jubilee Parade being on Sunday, July 4th, 2021. She inquired about possibility of the Jubilee Parade being move to Monday, July 5th, 2021, but was told the plans are too far along to change now. She requested that in the future, when community active dates are being planned that they are not scheduled on Sundays. Ms. Ward also stated that she could not hear the Guest Speakers when they are facing the dais and hoped we could improve our sound system.
- Mayor Gutierrez stated that City Staff and City Council will be more aware of the days that community events are scheduled. The next time the 4th of July falls on a Sunday is 2027.

Consent Agenda Items

The Consent Agenda is considered self-explanatory and will be enacted by the Council with one motion. There will be no separate discussion of these items unless they are removed from the Consent Agenda upon the request of the Mayor or a Councilmember.

Mayor Gutierrez read the following items into record:

1. **Minutes** – Consideration and/or action regarding the approval of the minutes from the regular meeting on June 1, 2021. (B. Dennis)
2. **Resolution No. 21-R-54** - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas authorizing the approval of the Bexar Metro 911 Budget for Fiscal Year 2022, and other matters in connection therewith. (M. Browne/C. Kelm)

Mayor Gutierrez asked Council if there were any items they wished removed for separate action. Mayor Gutierrez recognized Councilmember Scott who asked that agenda Item 2 be removed for separate discussion. Mayor Gutierrez called for a motion to approve consent agenda Item 1.

Moved by Councilmember Allison Heyward, seconded by Mayor Pro-Tem Jill Whittaker to approve consent agenda Item 1.

AYE: Mayor Pro-Tem Jill Whittaker, Councilmember Mark Davis, Councilmember Rosemary Scott, Councilmember Michael Dahle, Councilmember David Scagliola, Councilmember Allison Heyward, Councilmember Tim Brown

Passed

Discussion and Action Items

Mayor Gutierrez read the following items into record:

2. **Resolution No. 21-R-54** - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas authorizing the approval of the Bexar Metro 911 Budget for Fiscal Year 2022, and other matters in connection therewith. (M. Browne/C. Kelm)

Mayor Gutierrez recognized Councilmember Scott who asked about the GIS Data Layers - Critical Errors information that was within the Bexar Metro 911 Annual Report and would he explain what this was. Assistant City Manager Charles Kelm stated that he would get back to her with the information.

Moved by Councilmember Rosemary Scott, seconded by Councilmember Allison Heyward to approve Resolution No. 21-R-54.

AYE: Mayor Pro-Tem Jill Whittaker, Councilmember Mark Davis, Councilmember Rosemary Scott, Councilmember Michael Dahle, Councilmember David Scagliola, Councilmember Allison Heyward, Councilmember Tim Brown

Passed

3. **COVID-19 UPDATE** - Discussion and update regarding the COVID-19 Virus and our current Ordinance No. 20-H-18 Declaration of Local Disaster. (M. Browne/K. Long/S. Hall)

Mayor Gutierrez recognized Emergency Management Coordinator Summer Hall who provided the following updated information:

City of Schertz - Response Activities

- EOC Activation: March 2020
- Declared Local State of Emergency
 - Enforce Safety Measures and Recoup Costs Associated with Response Activities
- Provided Personal Protective Equipment, Sanitation & Disinfectant Supplies
 - City Facilities (Installation of Protective Barriers & Temperature Check Stations at Public Facing Facilities)
 - Local Businesses
 - Doctor & Dentist Office
- PPE & Sanitation Donations to City of Schertz
 - Tito's Vodka
 - Bexar County 100 Club
 - J.J.'s Mae Rainbeau
- Expanded Remote Capabilities for City Staff and Services Available On-Line to the Community
- COVID-19 Testing Operations

- City Facilities & Employees
- Nursing Homes & Assisted Living Facilities
- COVID-19 Vaccinations
 - Local Clinics at the City of Schertz Civic Center
 - Partnership with Guadalupe County, City of Seguin, and Guadalupe Regional Medical Center
 - On-Site at Local Businesses and Assisted Living Facilities
 - Home-Bound and Mobility Challenged

Vaccination Clinics: Began week of January 4th:

Pfizer Dose 1 Administered 10,882
 Pfizer Dose 2 Administered 14,239
 Moderna Dose 1 Administered 4,698
 Moderna Dose 2 Administered 3,927
 J&J Doses Administered 1,445
Total Doses Administered 35,191

Clinic Staffing - Thank you to all Volunteers: City of Cibolo, City of Live Oak, City of Marion, City of New Berlin, City of New Braunfels, City of Santa Clara, City of Seguin, City of Selm, Guadalupe County, Baptist Children & Family Services (BCFS), Multiple Community Churches, Clemens High School Honor Society & COSA, Girl Scouts, GRMC & Methodist Health Systems, and over 200 unaffiliated Community volunteers.

Vaccination Update:

Guadalupe 12 + fully vaccinated 39.91%
 Comal 12+ fully vaccinated 44.47%
 Bexar 12+ fully vaccinated 45.16%

Current Numbers

Guadalupe Co.	Comal Co.	Bexar Co.
Confirmed Cases: 11,530	Confirmed Cases: 5,880	Confirmed Cases: 184,607
Probable Cases: 3,755	Probable Cases: 5,089	Probable Cases: 39,578
Fatalities: 219	Fatalities: 301	Fatalities: 3,585
Active Cases: 152	Active Cases: 181	Active Cases: 1,962
Recovered Cases: 14,890	Recovered Cases: 10,489	Recovered Cases: 218,638

Testing Positivity Rates: State of Texas 2.77% - Molecular; 1.45% - Antigen

Daily New Cases - State new confirmed 1,043

Hospitalization Rates (past 7 days): San Antonio 2.27%

Hospitalizations - Bexar County

DATE	PATIENTS	PATIENTS IN ICU	PATIENTS ON VENTILATION
5-4-21	223	71	42
5-11-21	210	68	34

5-18-21	171	52	26
6-3-21	140	41	23

4. **Ordinance No. 21-H-24** - Consideration and/or action approving an Ordinance of the City of Schertz to amend Ordinance 20-H-18 to establish an expiration date for the Declaration of Local Disaster to June 22, 2021 at 11:59 PM. *First Reading* (M. Browne/C. Kelm/K. Long/S. Hall)

Mayor Gutierrez read the above item into record.

Mayor Gutierrez recognized Emergency Management Coordinator Summer Hall who introduced this item stating that this is the first reading of an ordinance to establish an expiration date for the Declaration of Local Disaster to June 22, 2021 at 11:59 p.m.

Moved by Councilmember Michael Dahle, seconded by Councilmember Allison Heyward to approve Ordinance No. 21-H-24 on first reading.

AYE: Mayor Pro-Tem Jill Whittaker, Councilmember Mark Davis, Councilmember Rosemary Scott, Councilmember Michael Dahle, Councilmember David Scagliola, Councilmember Allison Heyward, Councilmember Tim Brown

Passed

5. **Ordinance No. 21-T-25** - Consideration and/or action approving an Ordinance by the City Council of the City of Schertz Texas, authorizing an adjustment to the Fiscal Year 2020-2021 Budget to provide funding for Civic Center chairs, repealing all ordinances or parts of ordinances in conflict with this ordinance; and providing an effective date. *First Reading* (S. Gonzalez/ L. Klepper)

Mayor Gutierrez read the above item into record and recognized Public Affairs Director Linda Klepper who introduced this item stating over the past two years, staff has made a concerted effort to complete necessary maintenance and upgrades to the facility including the replacement of the A/V system and a remodel of the Grand Ballroom and Bluebonnet Hall Kitchens. In FY 2020-2021, the Civic Center Grand Ballroom is scheduled to have the flooring replaced as the current flooring is damaged and worn down over 10+ years of use.

In addition to the flooring replacement, staff is recommending the purchase of 450 new chairs for the Grand Ballroom. As the facility ages, upkeep of the facility and also equipment has become increasingly important in order to maintain an attractive and functional gathering space for the community and local businesses.

Staff has researched various chairs for the ballroom and has found an appropriate replacement for the current chairs. This purchase supports Public Affairs' mission to promote Schertz, provide a high quality and fully functioning Civic Center for the community, and attract out-of-town guests/businesses.

Under Section 351.101(a)(1) Use of Tax Revenue in Texas Local Government Code, this project is qualified to use the City's HOT fund for this purchase. Upon approval of the budget adjustment, the estimated timeline for delivery of the new chairs is about 60 days, depending on the manufacturers' availability. Civic Center staff will work with purchasing to complete the purchase through a Group Purchasing Cooperative contract which offers the best value/pricing on

the chairs. A portion of the current Grand Ballroom chair inventory will be reassigned to the Facilities Division to help support in-house functions which require seating for staff. The remainder of the inventory will be sold on Gov Deals. Staff recommends approval.

Councilmembers Scott and Scagliola provided comments regarding the great pricing and the opportunity to utilize HOT funds.

Moved by Councilmember David Scagliola, seconded by Councilmember Rosemary Scott to approve Ordinance No. 21-T-25 on first reading.

AYE: Mayor Pro-Tem Jill Whittaker, Councilmember Mark Davis, Councilmember Rosemary Scott, Councilmember Michael Dahle, Councilmember David Scagliola, Councilmember Allison Heyward, Councilmember Tim Brown

Passed

Public Hearings

Mayor Gutierrez read the following items into record.

- 6. Ordinance No. 21-S-20** - Conduct a public hearing, consideration and/or action approving an Ordinance by the City Council of the City of Schertz, Texas on a request to rezone approximately 2 acres of land from General Business District (GB) to General Business-2 (GB-2), generally located approximately 5,500 feet east of the intersection between Schwab Road and IH-35 Access Road, 6420 IH 35, also known as Property ID 67796, City of Schertz, Comal County, Texas.
First Reading (B. James/L. Wood/M. Harrison)

Mayor Gutierrez recognized Planner Megan Harrison who introduced this item stating the applicant is proposing to rezone approximately 1.824 acres of land from General Business District (GB) to General Business District - 2 (GB-2). The property is located approximately 5,500 feet east of the intersection of Schwab Road and IH -35 Access Road, more specifically described as 6420 IH 35, Schertz, Texas.

Nine (9) public hearing notices were mailed to the surrounding property owners within two hundred (200) feet of the subject property on April 28, 2021, with a public hearing notice published in the "San Antonio Express" on May 19, 2021, prior to the City Council public hearing. At the time of this report, Staff has received zero (0) responses in favor, opposed, or neutral to the zoning request. A public hearing held at the April 28, 2021 Planning and Zoning Commission Meeting. During this public hearing, no residents spoke. The Planning and Zoning Commission conducted a public hearing on May 12, 2021, and offered a recommendation of approval with a 6-1 vote. Staff supports the Commissions recommendation and recommends approval of the proposed rezoning from General Business District (GB) to General Business District-2 (GB-2) as submitted.

Mayor Gutierrez recognized Mr. Michael Morris, Attorney for the applicant who briefly explained the request of the need to rezone.

Mayor Gutierrez opened the public hearing and recognized the following who spoke in favor of the rezone:

Ms. Maggie Titterington, The Chamber, 1730 Schertz Parkway. As no one else spoke; Mayor

Gutierrez closed the public hearing for Council comments. Ms. Harrison addressed questions.

Moved by Councilmember Mark Davis, seconded by Councilmember David Scagliola to approve Ordinance No. 21-S-20 on first reading.

AYE: Mayor Pro-Tem Jill Whittaker, Councilmember Mark Davis, Councilmember Rosemary Scott, Councilmember Michael Dahle, Councilmember David Scagliola, Councilmember Allison Heyward, Councilmember Tim Brown

Passed

7. **Ordinance No. 21-S-22** - Conduct a public hearing, consideration and/or action approving an Ordinance by the City Council of the City of Schertz, Texas on a request to rezone approximately 61 acres of land from General Business District (GB), Single-Family Residential/ Agricultural District (R-A), and Planning Development District (PDD) to Planned Development District (PDD), located at 9661 E FM 1518N, 10105 E FM 1518N, and 7901 E FM 1518N, also known as Bexar County Property Identification Number 309889, 309923, and 1058761, City of Schertz, Bexar County, Texas. *First Reading* (B. James/L. Wood/M. Harrison)

Mayor Gutierrez recognized Planner Megan Harrison who introduced this item stating the applicant is proposing to rezone approximately sixty-one (61) acres of land to Planned Development District (PDD) as part of The Crossvine PDD. The 61 acres within the requested rezone consists of the following tracts:

1. A 1 acre tract, parcel 309889, currently zoned General Business District (GB)
2. A 5.77 acre tract, parcel 309923, currently zoned Single-Family Residential / Agricultural (R-A)
3. A 53.72 acre tract, parcel 1058761, currently zoned Planned Development District (PDD)

Ms. Harrison provided information on the Crossvine Project History. She stated twenty (20) public hearing notices were mailed to surrounding property owners on April 28, 2021, with a public hearing notice published in the "San Antonio Express" on May 19, 2021, prior to the City Council public hearing. At the time of this report staff has received one (1) response in favor and zero (0) responses opposed to the zone change.

Proposed Zoning:

The Crossvine PDD 5th Amendment for Tract 1, a 1 acre property and Tract 2 a 5.77 acre property, will be subject to the zoning, and the terms, conditions, and requirements associated with the existing The Crossvine Module IIB and to be included into the entire The Crossvine PDD Project Area. The two tracts of land that will be incorporated into Module IIB will develop as mixed use in the proposed Town Center to the north of Lower Seguin Road.

The Crossvine PDD 5th Amendment for Tract 3, the 53.72 acres property, will be applicable to the zoning, and the terms, conditions and requirements associated with Module IIIA Unit 1. Module IIIA Unit 1 is proposed to develop as single-family residential and include a proposed Amenity Center. The proposed design of the Module IIIA Unit 1 will be a natural expansion of the land plan design and development of the aesthetic of The Crossvine; the expansion shall include design elements that have made development within The Crossvine unique, such as accessible green spaces, walking trails, meandering roadways, and intimate cul-de-sacs. In addition, the construction, landscaping, signage, and other features in Module IIIA Unit 1 will adhere to the Public Amenity and Architectural Standards as previously established in

The Crossvine Module 1 and Module IIA.

The Crossvine Module IIIA Unit 1 is proposed to develop as single-family residential lots consisting of 3 categories, identified below.

DSFR (4) will have a lot size no less than four thousand nine hundred and fifty (4,950) square feet with minimum dimensions of forty-five (45) feet wide by one hundred and ten (110) feet deep. The DSFR (4) will have a maximum dwelling size, of conditioned area, for a 1-story home of two thousand four hundred (2,400) square feet and a maximum dwelling size, of conditioned area, for a 2-story home of three thousand two hundred (3,200) square feet.

DSFR (5) will have a lot size no less than six thousand and fifty (6,050) square feet with minimum dimensions of fifty-five (55) feet wide by one hundred and ten (110) feet deep. The DSFR (5) will have a maximum dwelling size, of conditioned area, for a 1-story home of two thousand eight hundred and fifty (2,850) square feet and the maximum dwelling size, of conditioned area, for a 2-story home of three thousand six hundred and fifty (3,650) square feet.

DSFR (6) will have a lot size that is no less than seven thousand four hundred and seventy-five (7,475) square feet with minimum dimensions of sixty-five (65) feet wide by one hundred fifteen (115) feet deep. The DSFR (6) will have a maximum dwelling size, of conditioned area, for a 1-story home of three thousand three hundred (3,300) square feet and the maximum dwelling size, of conditioned area, for a 2-story home shall be four thousand one hundred (4,100) square feet.

Homes shall be placed in the center of the lot allowing for a minimum five foot (5') side yard setback. The air-conditioning units or HVAC pads shall be located at the rear or side of the home. There will be a minimum of a twenty foot (20') front yard setback, and a ten foot (10') rear yard setback for each lot. All private fencing shall attach to the house no further than five (5) feet from the primary rear wall of the home.

The DSFR (4), DSFR (5), and DSFR (6) land use categories were discussed.

*Please note the proposed "5th Amendment" for the 53.72 acres is proposed to develop as DSFR 4, 5, 6.

In addition to the single-family residential, Module IIIA will include a proposed amenity center to be constructed concurrently with Module IIIA Unit 2. The proposed amenity center will include the following:

- A lap pool suitable for competitive swim meets with dimensions of no less than 25 meters in length and 10.5 meters in width
- A wading and/or splash pad appropriately sized in conjunction with other pool facilities
- A conditioned interior building area with:
 - No less than 400 square feet of office area
 - A community room of no less than 1,000 square feet
 - Restrooms
 - Storage area
- An outdoor open-air covered pavilion of no less than 1,750 square feet

Ms. Harrison stated based on Tract 1 abutting a major intersection of Lower Seguin Road and FM 1518, currently surrounded by The Crossvine PDD zoned properties, and the proposal to incorporate this additional 1 acre tract into The Crossvine Module IIB there should be a minimal impact on the adjacent properties. Since The Crossvine Module IIB is designed to be a "Town

Center" with a mix of commercial, retail, and residential uses the proposed zone change to incorporate this 1 acre tract is directly in line with the goals and objectives of the Mixed Use Core. Based on the conformance with the Comprehensive Land Use Plan and the adjacent zoning, staff recommends approval of the proposed 1 acre zone change to Planned Development District (PDD).

Tract 2 is directly adjacent to FM 1518 and properties already within The Crossvine PDD and proposed to be Module IIB, which is designed to be a mix of commercial, retail, and residential uses. The incorporation of an additional approximately 6 acres of land should have a minimal impact to the adjacent properties. Additionally, increasing the Module IIB area by the 6 acres is directly in conformance with the Comprehensive Land Use Plan goals and objectives for the Mixed Use Core. Based on the conformance with the Comprehensive Land Use Plan and the adjacent zoning, staff recommends approval of the proposed 6 acre zone change to Planned Development District (PDD).

Tract 3 is currently zoned as part of The Crossvine PDD. The proposed fifty-four (54) acres zone change included within The Crossvine PDD "5th Amendment" is essentially to update the current The Crossvine PDD regulations for the identified subject property. However, since this land is currently zoned for The Crossvine, the proposed amendments to the PDD Design standards should have a minimal impact on the adjacent land, the majority of which is also within The Crossvine PDD zoned property. Additionally, since the proposed amendment retains the design elements that make The Crossvine unique such as accessible green spaces, walking trails, meandering roadways, and intimate cul-de-sacs along with the proposed additional amenity center design features the requested "5th Amendment" should have a minimal impact. Staff recommends approval of the proposed zone change for the approximately 54 acres.

Ms. Harrison stated based on the conformance with the goals and objectives of the Comprehensive Land Use Plan and the minimal impact on the adjacent properties for Tract 1 and Tract 2, staff recommends approval of the zone change as presented. Additionally, based on Tract 3 existing as The Crossvine PDD zoned property, and the proposal to maintain the key design elements of The Crossvine, with the proposed modifications to the design standards.

The Planning and Zoning Commission conducted a public hearing on May 12, 2021, and offered a recommendation of approval with a vote of 7-0.

Staff recommends approval of the zone change for the following as submitted:

Tract 1: 1 acre from General Business District (GB) to Planned Development District (PDD)

Tract 2: 5.77 acres from Single-Family Residential/Agricultural District (R-A) to Planned Development District (PDD)

Tract 3: 53.72 acres from Planned Development District (PDD) to Planned Development District (PDD)

Mayor Gutierrez recognized Mr. Chris Price, the Developer who came forward providing history of the project as well as the proposed rezone request. Mayor Gutierrez opened the public hearing and recognized the following who spoke in favor of the request:

- Maggie Titterington, The Chamber 1730 Schertz Parkway.

As no one else spoke; Mayor Gutierrez closed the public hearing for Council comments.

Mayor Gutierrez recognized the following Councilmembers:

Councilmember Scott who asked about Tract 2 DSFR(4) stating there are 77 lots for Garden Homes and asked about the lot of sizes and average house size. In answer, the lots are 40 ft x 87 deep, frontage on a greenbelt with rear entry access. She stated she likes the fences, not a fan of the 5 foot between houses, but sees it makes homes more affordable for the military family. She indicated that the development is esthetically pleasing, likes the cul-de-sacs through-out, the green space and this is a model community.

Councilmember Dahle asked about the DSFR 4 & 5. He stated he likes the development and appreciates the work the developer has done making the suggested changes by staff. He also stated he appreciates the esthetics. Mr. Price commented saying this is a partnership with the City and is a better plan today as they have worked with staff.

Councilmember Scagliola stated this is a visionary development. Developer is receptive to changes, wants to see small houses on small lots, objects to putting a large home on a small lot, is not a fan of the 5 foot. He indicated he likes the amenities that Crossvine offers, good partner with the city of a number of years.

Moved by Councilmember Michael Dahle, seconded by Mayor Pro-Tem Jill Whittaker to approve Ordinance No. 21-S-20 on first reading.

AYE: Mayor Pro-Tem Jill Whittaker, Councilmember Mark Davis, Councilmember Rosemary Scott, Councilmember Michael Dahle, Councilmember David Scagliola, Councilmember Allison Heyward, Councilmember Tim Brown

Passed

8. **Ordinance No. 21-S-21** - Conduct a public hearing, consideration and/or action approving an Ordinance by the City Council of the City of Schertz, Texas on a request to rezone approximately 6 acres of land from General Business District (GB) and Manufacturing Light District (M-1) to General Business (GB) and Manufacturing Light District (M-1), generally located approximately 2,000 feet west of the intersection between FM 2252 and IH-35, also known as Comal County Property Identification Number 78020, City of Schertz, Comal County, Texas. *First Reading* (B. James/L. Wood/M. Harrison)

Mayor Gutierrez recognized Planner Megan Harrison who introduced this item stating the applicant is proposing to rezone approximately 6 acres of land from General Business District (GB) and Manufacturing Light District (M-1) to General Business District (GB) and Manufacturing Light District (M-1). The property is located two thousand (2,000) feet west of the intersection of FM 2252 and IH 35 access road. Currently, the front approximately 4.5 acres of the property is zoned General Business District (GB) and the remainder 1.4 acres is zoned Manufacturing Light District (M-1). The applicant is proposing to adjust the zoning designation line in order to have the front 1.6 acres of the property to remain as General Business District (GB) and the remainder 4.3 acres to be rezoned Manufacturing Light District (M-1).

Nine (9) public hearing notices were mailed to the surrounding property owners within two hundred (200') feet of the subject property on April 28, 2021, with a public hearing notice published in the "San Antonio Express" on May 19, 2021, prior to the City Council public hearing. At the time of this report Staff has received one (1) response in favor of the request and zero (0) responses opposed to the zoning request. There was a public hearing held at the April 28, 2021 Planning and Zoning Commission Meeting. During this public hearing, no residents spoke.

Current Land Use: Existing: General Business District (GB) Manufacturing Light (M-1) - land use is Vacant/undeveloped, Proposed: General Business District (GB) Manufacturing Light (M-1) - land use is Office Warehouse.

Adjacent Properties:

	Zoning	Land Use
North	Manufacturing Light (M-1)	Vacant/Undeveloped
South	Right-of-way	N IH 35
East	General Business District (GB) Manufacturing Light (M-1)	Vacant/Undeveloped
West	Private Right-of-Way/General Business District ((GB) Manufacturing Home Park (MHP/Manufacturing Light (M-1)	Private Roadway :Main Street"/Vacant/Undeveloped

The proposed rezone is for approximately 5.851 acres of land from General Business District (GB) and Manufacturing Light District (M-1) to General Business District (GB) and Manufacturing Light District (M-1).

Currently, the front approximately 4.5 acres of the property is zoned General Business District (GB) and the remainder 1.4 acres is zoned Manufacturing Light District (M-1). The applicant is proposing to adjust the zoning designation line in order to have the front 1.6 acres of the property remain as General Business District (GB) and the remainder 4.3 acres be rezoned to Manufacturing Light District (M-1). Essentially, the applicant is requesting to reduce the acreage that is currently zoned General Business District (GB) and increase the acreage zoned Manufacturing Light District (M-1). The proposed area to remain as General Business District would comply with lot width and depth minimum dimensions for the zoning district.

The Comprehensive Land Use Plan (CLUP), through the Future Land Use Plan and the Schertz Sector Plan, designates the subject property as Commercial Campus. The objective of the Commercial Campus future land use designation is to accommodate the development of lower intensity commercial and office uses that utilize a variety of mostly office, flex-office, light industrial and educational and other institutional uses. The General Business District (GB) and Manufacturing Light (M-1) meets the goals and objectives of the Commercial Campus future land use designation by permitting lower intensity commercial and office uses along the frontage of IH-35.

Comprehensive Plan Goals and Objectives: The proposed rezoning of the property to General Business District (GB) and Manufacturing Light (M-1) is in conformance with the goals and objectives of the Comprehensive Plan; the proposed zone change supports the lower intensity commercial objectives of the Commercial Campus future land use designation, specifically along the IH 35 frontage.

Impact of Infrastructure: The proposed rezoning should have a minimal impact on the existing water system. Currently, there is a twelve (12) inch City of Schertz water line that runs along the frontage of the property. The property currently does not have sanitary sewer infrastructure in place; however, there is sewer across IH-35 that would be the closest connection. If the proposed zone change is approved, the applicant would be required during the development process to make any infrastructure improvements deemed necessary.

Impact of Public Facilities/Services: The proposed rezoning should have a minimal impact on public services, such as schools, fire, police, parks, and sanitation services.

Compatibility with Existing and Potential Adjacent Land Uses: The subject property is currently surrounded by several parcels that are zoned General Business District (GB) and Manufacturing Light (M-1). The rezoning of this property is compatible with the adjacent land uses as the General Business District (GB) is intended to provide a lower intensity commercial along the IH-35 frontage and then the Manufacturing Light District (M-1) would allow the proposed office/warehouse along the back portion of the property. Additionally, the property to the rear of the subject property is adjacent to the currently Manufacturing District (M-1) zoned portion of the property, so the proposed zone change should have minimal impact.

The Planning and Zoning Commission conducted a public hearing on May 12, 2021, and offered a recommendation of approval with a vote of 7-0.

The Comprehensive Land Use Plan designates the subject property as Commercial Campus which is intended to encourage the development of lower intensity commercial, light industrial, and office uses in the locations between major intersections as a buffer between the Interstate Highway and adjoining neighborhoods. The location of this property being along the IH-35 frontage makes it an ideal location for a lower intensity commercial with some light industrial type development. The proposed zone change which would maintain the General Business District (GB) on the front 1.6 acres will allow the lower intensity land uses that are desired immediately adjacent to IH 35. In addition, by increasing the Manufacturing Light District (M-1) from the current 1.4 acres to the proposed 4.3 acres will allow the property to be developed in accordance with the applicants desires in the rear of the but maintain the ability for the desired retail / commercial / office in the front adjacent to IH 35.

Based on the subject property location, adjacent zoning and land uses, and the Comprehensive Land Use Plan designation the proposed zone change is compatible. Additionally, based on the zone change being to modify the acreage of the existing zoning designations rather than to a different zoning designation entirely, the goals and desires to maintain the IH 35 frontage for commercial / retail / office are being met while allowing the portion proposed to be Manufacturing Light District (M-1) at the rear of the property will provide the applicant the ability to complete their desired development. Due to the nature of the proposed zone change to modify the acreage within each zoning designation.

Staff recommends approval of the proposed rezoning from General Business District (GB) and Manufacturing Light District (M-1) to General Business District (GB) and Manufacturing Light District (M-1) as submitted.

Mayor Gutierrez recognized Mr. Shane Klar, representative for the applicant who was present to take any questions. Mayor Gutierrez opened the public hearing, and as no one spoke; closed the public hearing for Council comments. No comments from Council.

Moved by Councilmember David Scagliola, seconded by Councilmember Allison Heyward approve Ordinance No. 21-S-21 on first reading.

AYE: Mayor Pro-Tem Jill Whittaker, Councilmember Mark Davis, Councilmember Rosemary Scott, Councilmember Michael Dahle, Councilmember David Scagliola, Councilmember Allison Heyward, Councilmember Tim Brown

Passed

Roll Call Vote Confirmation

Mayor Gutierrez recognized Deputy City Secretary Sheila Edmondson who provided the roll call vote for Items 1-8.

Information available in City Council Packets - NO DISCUSSION TO OCCUR

Mayor Gutierrez read into record agenda items 9 and 10 and mentioned that they are informational only and were provided in the city council packets and can be found on the city website.

9. **Alternate Councilmember Liaison to the Animal Services Advisory Committee** - Assignment of Councilmember Heyward as an alternate to the Animal Services Advisory Committee.
10. **Monthly update** - on major projects in progress/CIP. (B. James/K. Woodlee)

Requests and Announcements

- Dr. Mark Browne thanked City Planner Megan Harrison for a great job presenting agenda items before the City Council. This was the first time Ms. Harrison presented items to the City Council.
- Requests by Mayor and Councilmembers for updates or information from staff.

Councilmember Scagliola asked about the review or discussion of the Zoning and Density and asked for an update. Dr. Mark Browne announced that on July 9, 2021 there will be a Joint Workshop for City Council and Planning and Zoning Commission. It will be a morning session.

Councilmember Scagliola stated he has been approached by several residents who have concerns about the Gutierrez Park's signage and asked if the Parks and Recreation Committee to address their concerns.

Concerning Gutierrez Park, Dr. Mark Browne stated that if we wanted to move any further on Gutierrez Park, it ought to go to Parks and Recreation Committee. City staff was not in favor of changing the name of the park at this time. If the Council would like the Parks and Recreation Committee to look at it, they definitely can do that. Mayor Gutierrez would like City Manager Browne to provide the email where he replied to the Councilmember and send it to the rest of the Council. At the next meeting if Council chooses to address it, they can send it to Parks and Recreation Committee.

- Requests by Mayor and Councilmembers that items or presentations be placed on a future City Council agenda.

No items requested.

Announcements by Mayor and Councilmembers

- City and community events attended and to be attended
- City Council Committee and Liaison Assignments (see assignments below)
- Continuing education events attended and to be attended
- Recognition of actions by City employees
- Recognition of actions by community volunteers

Mayor Gutierrez recognized the following:

- Councilmember Michael Dahle attended the ribbon cutting ceremony for Willie's Grill and Icehouse Restaurant in Cibolo, TX.
- Councilmember David Scagliola attended the Chamber 16th Anniversary Celebration at Blue Bonnet
- Councilmember Allison Heyward attended the ribbon cutting ceremony for Willie's Grill and Icehouse Restaurant in Cibolo, TX and the Chamber 16th Anniversary Celebration at Blue Bonnet. Councilmember Heyward informed City Council that she has been taking part in the Facebook Summer Series and they are doing Government Outreach Programs. She participated in the Guadalupe Community Coalition via ZOOM meeting and today was able to go to the 2021 Leadership Core at RAFB.

Adjournment

Mayor Gutierrez adjourned the meeting at 8:08 p.m.

Ralph Gutierrez, Mayor

ATTEST:

Brenda Dennis, City Secretary