



# PLANNED DEVELOPMENT DISTRICT

HERITAGE OAKS II  
SCHERTZ, TEXAS

May 15, 2023 (revised 7/19/23)

# PLANNED DEVELOPMENT DISTRICT

## HERITAGE OAKS II

**Prepared By and For:**

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Date: May 15, 2023

(revised 7/19/23)

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## **FIGURES**

FIGURE 1.0: EXCERPT FROM LIVE OAK HILLS SUBDIVISION PLAT

## **EXHIBITS**

EXHIBIT 1: PROPERTY DESCRIPTION

EXHIBIT 2: ZONING EXHIBIT

1) MAP

2) LIST- NEIGHBORS < 200'

# HERITAGE OAKS II

## A PLANNED DEVELOPMENT DISTRICT

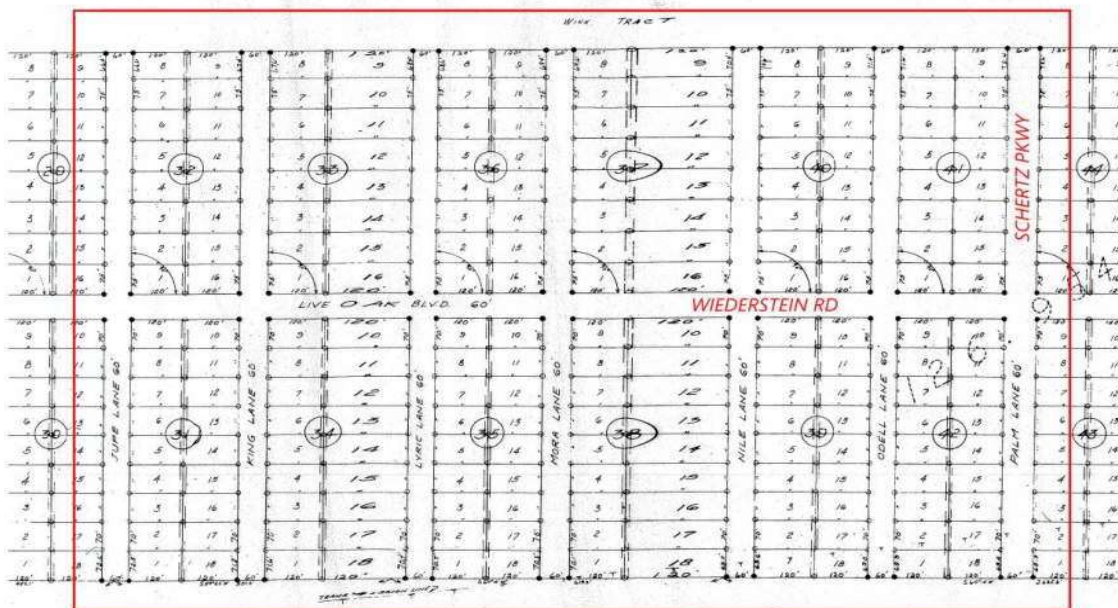
### SCHERTZ, TEXAS

## I. PROPERTY

The proposed rezoning of Lot 13, Block 41, Live Oak Hills Subdivision, City of Schertz, Guadalupe County, Texas (the “Lot”) from Neighborhood Services (NS) to PDD. If rezoned, the Lot will be the Heritage Oaks II PDD (“Heritage II PDD”) in conformance with the adjacent 65.97 acre Heritage Oaks Neighborhood Planned Development District (the “Heritage PDD”) which is located 0.5 mile to the southeast of IH 35 off Schertz Parkway within the corporate limits of the City of Schertz. Refer to Exhibit “1” for the legal description of the Lot.

It is the intent of this PDD rezoning that this Lot rezoning be in conformance and comply with the provisions of the Heritage PDD approved May 11, 2021 as Ordinance No. 21-S-15. The rezoning of this Lot shall cause no modification to the Heritage PDD.

**Figure 1: Excerpt from Live Oak Hills Subdivision Plat**



Source: Live Oak Hills Subdivision; Vol. 2, Pg. 146-147, M.P.R.

Schertz Parkway, is located on the East side of the Lot, and the Heritage Oaks Neighborhood is zoned as the Heritage PDD and is on the North, West and South of the Lot.

Per the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM), No. 48187C0210F, Effective Date November 2, 2007, none of the Lot is located within an area which is

identified by FEMA as a special flood hazard area subject to inundation by the 1% annual chance flood (100-year flood) with Base Flood Elevations (BFEs) determined.

## II. AFFECTED UDC ARTICLES/SECTIONS

A Planned Development District (PDD) allows for flexibility in planning, design and development standards while complying with the intent of the Unified Development Code (UDC). The article and section amendments proposed with the PDD for the Lot are as follows:

### A. ARTICLE 5. – ZONING DISTRICTS

#### Sec. 21.5.7. – Dimensional and Development Standards

The Lot is presently zoned Neighborhood Services (NS). Proposed with the PDD for Heritage Oaks II is a base zoning Single- Family Residential District-1 (R-1). The Lot is to be an absolute minimum of 6,000 square feet, variable width, 120 feet minimum depth (at the midplane of the lot) with minimum front and side yard setbacks of 20 feet and 5 feet, respectively. No permanent structures or heating, ventilation, and air conditioning equipment will be allowed in side yards less than 10 feet. Side yard fencing between homes shall be limited to no more than 20 feet from the rear corner of the home.

Minimum lot size and dimensions, maximum density, as well as maximum impervious cover proposed for the Lot with Heritage II PDD are a Planned Development District with a base zoning Single-Family Residential District -1 (R-1) are provided with **Table 1**.

**Table 1 – The Lot for Heritage Oaks II, a Planned Development District (PDD)**

Zoning District	Minimum Lot Size/Dimensions			Minimum Yard Setback				Maximum Density		Misc	
	Area Sq Ft	Width Ft	Depth Ft	Front Ft	Side Ft	Rear Ft	Minimum Off-Street Parking Spaces	Lots	Lots Per Acre	Max Height Ft	Max Imperv Cover
<b>Planned Development District (PDD)</b>	6,000	50	120**	20	5*	20	2	215	3.25	35	50%

\*Rectangular shaped lots shall have minimum 6-foot side yard setback.

\* Corner lot shall have minimum 10-foot side yard setback from street right-of-way.

\*\*Minimum depth shall be taken at the midplane of the lot

## B. ARTICLE 9 – SITE DESIGN STANDARDS

### Sec. 21.9.3. – Lots

Large non-uniform lots with variable frontage and setbacks are proposed with Heritage Oaks II. Lot sizes and dimensions, as well as setbacks, shall be shown on all plats and shall conform to the minimum requirements recognized in the Dimension and Development Standards of this PDD. In addition, the following modified requirements to UDC Sec. 21.9.3 will apply:

- I. Lot lines are not required to be perpendicular to the local streets within Heritage Oaks
- II. The larger non-uniform lots, characteristic of a coving subdivision, provide more open space and tree preservation.

### Sec. 21.9.7. – Landscaping

E.3.a Every single-family dwelling shall have a minimum of three shade trees with at least one in the front yard and one in the back yard. Each single family dwelling shall have a minimum of fifteen inches (15”) DBH of shade trees on the entire lot, including existing trees.

### Sec. 21.9.9. – Tree Preservation and Mitigation

Trees with a 24" DBH (diameter at breast height-4 1/2 feet above existing ground level) are designated "**Heritage Trees**".

Trees with an 8" DBH (diameter at breast height-4 1/2 feet above existing ground level) are designated "**Protected Trees**".

#### C. Tree Preservation

##### 1. Single Family Residential Development:

- a. Heritage Trees. A minimum of fifty percent (50%) of the total Heritage Trees in Heritage Oaks II must be preserved.
  - i. Exemptions. Heritage Trees located within proposed right-of-way, utility easements, and drainage right-of-way/easements shall be exempt from the 50% tree save requirement.

- b. Protected Trees. No Protected Trees in Heritage Oaks II must be preserved, however any preserved shall be credited toward the minimum builder requirement of 15” DBH.

D. Tree Mitigation. There are no tree mitigation requirements for Protected and Heritage Class Trees in Heritage Oaks II.

### **III. PLANNED DEVELOPMENT DISTRICT (PDD) AMENDMENTS**

Any significant future changes from the established Dimensional Requirements for the approved PDD, which alter the concept of the PDD or increase the density, will cause the plan to be resubmitted for approval by the Planning & Zoning Commission and the City Council, including a new public hearing with applicable fees. Minor changes which do not change the concept or intent of the development shall be approved or denied administratively.

# EXHIBITS

# **EXHIBIT 1**

## **PROPERTY DESCRIPTION**

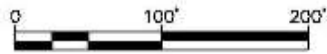
Lot 13, Block 41, Live Oak Hills Subdivision, City of Schertz, Guadalupe County, Texas, according to a Plat thereof recorded in Volume 2, Pages 146-147, Map and Plat Records, Guadalupe County, Texas

# **EXHIBIT 2**

## **ZONING EXHIBIT**

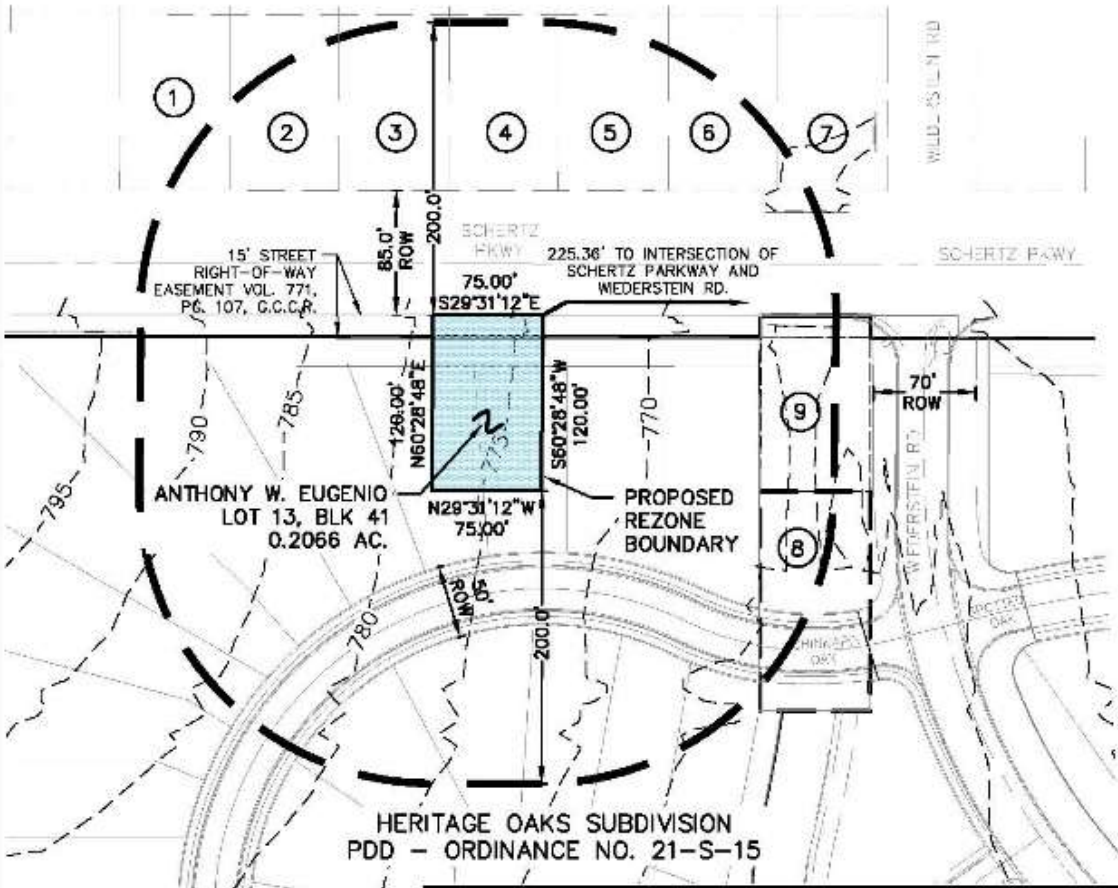
- 1) 200' zoning exhibit
- 2) List of Neighbors within 200'

NOTE:  
NO 100-YR FLOODPLAIN EXIST ON THE PROPERTY



SCALE: 1" = 100'

LIVE OAK HILL SUBDIVISION  
(VOL. 2, PGS. 146-147, M.P.R.)  
UNDEVELOPED  
ZONED: NS



ANTHONY W. EUGENIO  
LOT 13, BLK 41  
0.2066 AC.

PROPOSED  
REZONE  
BOUNDARY

HERITAGE OAKS SUBDIVISION  
PDD - ORDINANCE NO. 21-S-15

PDD - REZONING 0.2066 AC.

**Legend**

- PROJECT BOUNDARY
- 200' NOTIFICATION BOUNDARY
- PDD PLANNED DEVELOPMENT DISTRICT
- ADJACENT PROPERTY OWNERS

**Binkley & Barfield**  
**DCCM**

Binkley & Barfield, Inc.  
TxEng F-257  
190 S Seguin Ave  
New Braunfels, TX 78130  
830-606-3813  
BinkleyBarfield.com

DRAWN BY: BCM  
CHECKED BY: JW

DATE: 2023  
JOB NO.: 2106.13

7/19/2023 9:54 AM P:\Engineering\2021\2106\13\PHASE 1\DWG\Z\_ Rezoning-Exhibit\_2106\_13.dwg

PROPERTY OWNERS

- ① SCHAEFER NANCY NON GST EXEMPT TRUST FBO JANE SCHAEFER, STEVE PRESLEY-TRUSTEE  
334 N. PARK DRIVE, SAN ANTONIO TX 78216  
PROPERTY ID: 32027  
LIVE OAK HILL SUBDIVISION (VOL. 2, PGS. 146-147, M.P.R.)  
UNDEVELOPED; ZONED: NS
- ② SCHAEFER NANCY NON GST EXEMPT TRUST FBO JANE SCHAEFER, STEVE PRESLEY-TRUSTEE  
334 N. PARK DRIVE, SAN ANTONIO TX 78216  
PROPERTY ID: 32026  
LIVE OAK HILL SUBDIVISION (VOL. 2, PGS. 146-147, M.P.R.)  
UNDEVELOPED; ZONED: NS
- ③ CITY OF SCHERTZ  
1400 SCHERTZ PKWY SCHERTZ, TX 78154  
PROPERTY ID: 32025  
LIVE OAK HILL SUBDIVISION (VOL. 2, PGS. 146-147, M.P.R.)  
UNDEVELOPED; ZONED: NS
- ④ CITY OF SCHERTZ  
1400 SCHERTZ PKWY SCHERTZ, TX 78154  
PROPERTY ID: 32024  
LIVE OAK HILL SUBDIVISION (VOL. 2, PGS. 146-147, M.P.R.)  
UNDEVELOPED; ZONED: NS
- ⑤ HERNANDEZ JESUS LOPEZ & DORIS REBECCA PRATHER  
814 CIBOLO TRAIL UNIVERSAL CITY TX 78148  
PROPERTY ID: 32023  
LIVE OAK HILL SUBDIVISION (VOL. 2, PGS. 146-147, M.P.R.)  
UNDEVELOPED; ZONED: NS
- ⑥ SCHAEFER NANCY NON GST EXEMPT TRUST FBO JANE SCHAEFER, STEVE PRESLEY-TRUSTEE  
334 N. PARK DRIVE, SAN ANTONIO TX 78216  
PROPERTY ID: 32022  
LIVE OAK HILL SUBDIVISION (VOL. 2, PGS. 146-147, M.P.R.)  
UNDEVELOPED; ZONED: NS
- ⑦ CITY OF SCHERTZ  
1400 SCHERTZ PKWY SCHERTZ, TX 78154  
PROPERTY ID: 32021  
LIVE OAK HILL SUBDIVISION (VOL. 2, PGS. 146-147, M.P.R.)  
UNDEVELOPED; ZONED: NS
- ⑧ CITY OF SCHERTZ  
1400 SCHERTZ PKWY SCHERTZ, TX 78154  
PROPERTY ID: 31969  
LIVE OAK HILL SUBDIVISION (VOL. 776, PG. 948)  
UNDEVELOPED; ZONED: NS
- ⑨ EUGENIO ANTHONY W  
334 N. PARK DRIVE, SAN ANTONIO TX 78216  
PROPERTY ID: 31984  
LIVE OAK HILL SUBDIVISION (VOL. 2997, PG. 0588)  
UNDEVELOPED; ZONED: PDD

**PDD – REZONING 0.2066 AC.**



Binkley & Barfield, Inc.  
TxEng F-257  
190 S Seguin Ave  
New Braunfels, TX 78130  
830-606-3913  
BinkleyBarfield.com