



MEETING AGENDA
City Council
REGULAR SESSION CITY COUNCIL
January 9, 2024

HAL BALDWIN MUNICIPAL COMPLEX COUNCIL CHAMBERS
1400 SCHERTZ PARKWAY BUILDING #4
SCHERTZ, TEXAS 78154

CITY OF SCHERTZ CORE VALUES
Do the right thing
Do the best you can
Treat others the way you want to be treated
Work cooperatively as a team

AGENDA
TUESDAY, JANUARY 9, 2024 at 6:00 p.m.

Call to Order

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

Employee Introductions

- EMS: Rene Carrasco; Brent Metzger; Sydney Garcia
- Parks: Matthew Longoria-Parks Maintenance Technician

City Events and Announcements

- Announcements of upcoming City Events (B. James/S. Gonzalez)
- Announcements and recognitions by the City Manager (S. Williams)
- Announcements and recognitions by the Mayor (R. Gutierrez)

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.

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.

1. **Minutes** - Consideration and/or action regarding the approval of the regular meeting minutes of December 19, 2023. (S.Edmondson/S.Courney)
2. **Appointment/Reappointment For Boards/Commissions/Committees** (S.Edmondson)
 - Planning & Zoning: Accept the resignation of Mr. Gordon Rae
3. **Resolution 24-R-02** – Authorizing a professional services agreement with Unitech Consulting Engineers, Inc., for the design of the Buffalo Valley South Utility Replacement and Street Rehabilitation Project (B.James/K.Woodlee/J.Nowak)
4. **Ordinance 23-S-32** – Approving a request for a Specific Use Permit to allow a convenience store with gas pumps on approximately 7.8 acres of land, located approximately 51-feet west from the intersection of IH-35 N Access Road and FM 2252, also known as Guadalupe County Property Identification Number 114083 and Comal County Property Identification Number 119021, City of Schertz, Guadalupe and Comal County, Texas. ***Final Reading*** (B.James/L.Wood D.Marquez)
5. **Ordinance 23-S-33** - Approving a request for a Specific Use Permit to allow a truck terminal on approximately 4 acres of land located approximately 660-feet west from the intersection of Baugh Lane and Schwab Road, also known as Comal Property Identification Number 464879, City of Schertz, Comal County, Texas. ***Final Reading*** (B.James/L.Wood/D.Marquez)
6. **Resolution 24-R-03** - Authorizing the City Manager to accept employment as an adjunct professor pursuant to the requirements of the Employment Agreement between the City Manager and the City
7. **Ordinance 23-G-30** - Amending the City of Schertz Code of Ordinances creating a Reserve Police Force in accordance with statutory mandates. ***Final Reading*** (S.Williams/J.Lowery)

Discussion and Action Items:

8. **Boards, Commissions and Committees:** Assign City Council Liaisons for Boards, Commissions and Committees.

Public Hearings

9. **Ordinance 23-S-35** - Conduct a public hearing and consider a request to rezone approximately 65 acres of land from General Business District (GB) to Planned Development District (PDD), known as Comal County Parcel ID 75458 and Guadalupe County Parcel ID 64005, generally located southeast of the IH 35 and Schwab Road intersection, City of Schertz, Comal County and Guadalupe County, Texas. **First Reading** (B.James/L.Wood/S.Haas)

Workshop

10. **Workshop-Council discuss Charter Review Topics**

Information available in City Council Packets - NO DISCUSSION TO OCCUR

Requests and Announcements

- Requests by Mayor and Councilmembers for updates or information from Staff
- Requests by Mayor and Councilmembers that items or presentations be placed on a future City Council agenda
- City and Community Events attended and to be attended (Council)

Adjournment

CERTIFICATION

I, SHEILA EDMONDSON, CITY SECRETARY OF THE CITY OF SCHERTZ, TEXAS, DO HEREBY CERTIFY THAT THE ABOVE AGENDA WAS PREPARED AND POSTED ON THE OFFICIAL BULLETIN BOARDS ON THIS THE 3rd DAY OF JANUARY 2024 AT 7:30 P.M., WHICH IS A PLACE READILY ACCESSIBLE TO THE PUBLIC AT ALL TIMES AND THAT SAID NOTICE WAS POSTED IN ACCORDANCE WITH CHAPTER 551, TEXAS GOVERNMENT CODE.

SHEILA EDMONDSON

I CERTIFY THAT THE ATTACHED NOTICE AND AGENDA OF ITEMS TO BE CONSIDERED BY THE CITY COUNCIL WAS REMOVED BY ME FROM THE OFFICIAL BULLETIN BOARD ON ____ DAY OF _____, 2023. TITLE: _____

This facility is accessible in accordance with the Americans with Disabilities Act. Handicapped parking spaces are available. If you require special assistance or have a request for sign interpretative services or other services, please call 210-619-1030.

The City Council for the City of Schertz reserves the right to adjourn into closed session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by the Texas Open Meetings Act.

Closed Sessions Authorized: This agenda has been reviewed and approved by the City’s legal counsel and the presence of any subject in any Closed Session portion of the agenda constitutes a written interpretation of Texas Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by the attorney that the items discussed therein may be legally discussed in the closed portion of the meeting considering available opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy Texas Government Code Chapter 551.144(c) and the meeting is conducted by all participants in reliance on this opinion.

COUNCIL COMMITTEE AND LIAISON ASSIGNMENTS

<p>Mayor Gutierrez Audit Committee Board of Adjustments Investment Advisory Committee Main Street Committee Senior Center Advisory Board-Alternate</p>	<p>Councilmember Davis– Place 1 Interview Committee for Boards and Commissions Main Street Committee - Chair Parks & Recreation Advisory Board Schertz Housing Authority Board Transportation Safety Advisory Commission TIRZ II Board</p>
<p>Councilmember Watson-Place 2 Audit Committee Library Advisory Board Senior Center Advisory Board Interview Committee for Boards and Commissions-Alternate Cibolo Valley Local Government Corporation-Alternate</p>	<p>Councilmember Paul Macaluso – Place 3 Interview Committee for Boards and Commissions</p>
<p>Councilmember Gibson – Place 4</p>	<p>Councilmember Westbrook – Place 5</p>
<p>Councilmember Heyward – Place 6 Animal Advisory Commission Audit Committee Building and Standards Commission Economic Development Corporation - Alternate Investment Advisory Committee Main Street Committee Interview Committee for Boards and Commissions Senior Center Advisory Board</p>	<p>Councilmember Brown – Place 7 Economic Development Corporation Main Street Committee Schertz-Seguin Local Government Corporation - Alternate</p>

CITY COUNCIL MEMORANDUM

City Council Meeting: January 9, 2024
Department: City Secretary
Subject: Minutes - Consideration and/or action regarding the approval of the regular meeting minutes of December 19, 2023. (S.Edmondson/S.Courney)

Attachments

Draft minutes 12-19-23

DRAFT

MINUTES REGULAR MEETING December 19, 2023

A Regular Meeting was held by the Schertz City Council of the City of Schertz, Texas, on December 19, 2023, 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 Michelle Watson; Councilmember Mark Davis; Councilmember Paul Macaluso; Councilmember Tiffany Gibson; Councilmember Michael Dahle; Councilmember Robert Westbrook; Councilmember Allison Heyward; Councilmember Tim Brown

Staff present: City Manager Steve Williams; Deputy City Manager Brian James; Assistant City Manager Sarah Gonzalez; City Attorney Daniel Santee; City Secretary Sheila Edmondson; Deputy City Secretary Sheree Courney

Call to Order

Mayor Gutierrez called the meeting to order at 6:00 p.m.

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

Mayor Gutierrez provided the opening prayer and led the Pledges of Allegiance to the Flags of the United States and the State of Texas.

Discussion and Action Items

- 1. Resolution 23-R-134** - Approving a resolution canvassing the returns and declaring the results of the December 9, 2023, Runoff Election, and other matters in connection therewith.
(Mayor/Council/S.Edmondson)

Mayor Gutierrez recognized City Secretary Sheila Edmondson who provided the results of the December 9, 2023, Runoff Election. Mayor Gutierrez opened the floor to Council for discussion. No discussion took place. Mayor Gutierrez asked for a motion to approve Resolution 23-R-134.

Mayor Gutierrez expressed his thanks to Guadalupe County Elections Office for their assistance with the Runoff Election.

Moved by Councilmember Michael Dahle, seconded by Councilmember Allison Heyward

AYE: Mayor Pro-Tem Michelle Watson, Councilmember Paul Macaluso, Councilmember Michael Dahle, Councilmember Robert Westbrook, Councilmember Allison Heyward, Councilmember Tim Brown

Passed

Oath of Office

Prior to the Oath of Office, Mayor Gutierrez thanked Councilmember Dahle for his service to the City of Schertz. Councilmember Dahle thanked his family for their support and stated it was a joy and a privilege to serve the City for the past 15 years. Mayor Gutierrez presented Councilmember Dahle with a plaque and a street sign recognizing his years of dedicated service. City Manager Steve Williams presented Councilmember Dahle with a City Manager Coin in recognition of his exemplary service.

Mayor Gutierrez then invited Ms. Tiffany Gibson, newly elected Councilmember to Place 4, to the podium for the Oath of Office.

2. Elected Officer-Oath of Office (S.Edmondson)

- Oath of Office to Elected Councilmember Place 4
City Secretary Sheila Edmondson performed the Oath of Office for Ms. Gibson, who then took her place on the dais.
- Comments by Councilmember Place 4
Councilmember Gibson thanked everyone for trusting in her by electing her to the Council. She went on to thank her family and volunteers who helped with the election. She confirmed her commitment to serving to the best of her ability, not taking any vote lightly.

Mayor Gutierrez called for a short recess at 6:15 p.m. for a small reception to welcome Ms. Gibson to City Council.

Mayor Gutierrez reconvened to Regular Session at 6:30 p.m.

City Events and Announcements

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

Mayor Gutierrez recognized Assistant City Manager Sarah Gonzalez who provided the following:

Friday, December 22 and Monday, December 25

City Offices Closed in Observance of the Christmas holiday

Monday, January 1

City Offices Closed in Observance of New Year's Day

Saturday, January 6

Polar Bear Plunge

Pickrell Park Pool

10:00 a.m. - 12:00 p.m.

Tuesday, January 9

Next Regularly Scheduled City Council Meeting

Council Chambers

6:00 p.m.

● Announcements and recognitions by the City Manager (S. Williams)

Mayor Gutierrez recognized City Manager Steve Williams who provided the following:

Schertz Parks & Rec held their first "Blizzard Paddle Battle" Pickleball Tournament on Saturday, December 9, 2023. Eleven teams participated.

The Star Party at Crescent Bend Nature Park, a collaborative event between the Parks & Rec department and the San Antonio Astronomical Association, held on Saturday, December 16, 2023, was attended by approximately 50 people learning about stars, planets, and other parts of the universe.

The Schertz Police Department held their Blue Santa Program. Thanks to the generous donations and support from community members and volunteers, 187 kids received gifts.

The Schertz Police Department also participated in the Kensington Ranch HOA Christmas parade.

Recognition of Charis Lawry who was promoted from Utility Billing Clerk to Lead Utility Billing Clerk.

Mr. Williams stated he awarded four City Manager Coins:

1. Officer Wetson for earning a Lifesaving Award from Schertz PD for utilizing his tactical medical kit on a gunshot victim.
2. Officer Pena for earning a Lifesaving Award from Schertz PD for performing CPR on a resident keeping him alive until EMS arrived.
3. Librarian Lizzi Bertoia for her diligence in recovering approximately \$100,000 in funds that had rolled to the State Comptrollers Office.
4. Bill Gardner, GIS Specialist, for being a utility player, demonstrating his willingness to share his time and talent with the Employee Appreciation Committee and numerous city-wide events.

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

Mayor Gutierrez expressed kudos to the officers for their lifesaving techniques in taking care of the residents of our City. He wished everyone a great holiday season and a Happy

New Year.

Hearing of Residents

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Mayor Pro-Tem Watson recognized the following residents:

Tim Knotts, 12050 Lower Seguin Road, stated he has been a property owner in Schertz since 1971, when it was only Bexar County. Prior to being annexed by Schertz in the mid-1980s, the land was zoned for commercial business. In 1996, they built boat storage units. Last year he wanted to add another unit, and was told that his property was not zoned for boat storage anymore. He states this was the first time he heard his property was rezoned and by law he should have received notification by mail. Additionally, he states he contracts with an individual who stores limos on his property, which the City says he cannot do due to the zoning. He feels the City did not provide notification and should not interfere with an ongoing contract.

Richard Kunz, 2960 Red Tip Drive, comes as a citizen of Schertz and as representative of the Schertz Police Association as its President, with Chris Meeks, President of the Schertz Firefighter Association, to speak in support of the Pay Plan Proposal.

Consent Agenda Items

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3. **Minutes** - Approving the regular meeting minutes of December 5, 2023.
(S.Edmondson/S.Courney)
4. **Appointment/Reappointment For Boards/Commissions/Committees** (S.Edmondson)
 - Appointment to the Parks & Recreation Advisory Board
 - Ms. Elizabeth Wiley-Parks & Recreation Board Member
 - Ms. Penny Jennings-Parks & Recreation Board Member
 - Ms. Rosemary Scott-Parks & Recreation Alternate Board Member
 - Mr. Robert Marks-Parks & Recreation Alternate Board Member

5. **Resolution 23-R-132** - Authorization of EMS, Utility Billing, Schertz Magazine, and Library debt revenue adjustments. (S.Gonzalez/J.Walters)
6. **Resolution 23-R-130** - Authorizing the City Manager to enter into an agreement with Global Traffic Technologies for procuring Opticom services for intersection preemption. (G. Rodgers/D. Kramer)
7. **Resolution 23-R-131** - Authorizing the City Manager to sign a renewal of the Interlocal Agreement with Guadalupe County for the provision of fire protection services from the city of Schertz Fire Department to designated areas of Guadalupe County (G.Rodgers/D.Kramer)
8. **Resolution 23-R-133** - Approving a recommendation to name the 10.5-acre park property at FM 482 and Bunker Street as Dry Comal Creek Nature Park. (S.Gonzalez/L.Shrum)
9. **Resolution 23-R-125** - Authorizing a contract amendment with Maldonado Nursery and Landscaping in excess of \$50,000 for mowing and landscape maintenance of medians, parkways, and public grounds. (S.Gonzalez/L.Shrum)
10. **Resolution 23-R-121** - Authorizing a contract with Tyler Technologies for Police Records Management System. (S.Williams/J.Lowery)
11. **Resolution 23-R-135** - Authorizing the City Manager to enter into a Memorandum of Agreement with Joint Base San Antonio for the use of their fire training facilities (G.Rodgers/D.Kramer)
12. **Resolution 23-R-138** - Authorizing a Schertz Main Street Local Flavor Economic Development Grant for 409 Main Street. (S.Williams/B.James)

Mayor Gutierrez asked for a motion to approve Consent Agenda Items #3 - 12.

Moved by Councilmember Paul Macaluso, seconded by Mayor Pro-Tem Michelle Watson

AYE: Mayor Pro-Tem Michelle Watson, Councilmember Mark Davis,
Councilmember Paul Macaluso, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

Discussion and Action Items

- 13. Resolution 23-R-139** - Authorizing the City Manager to accept an approximately 13.07 acre tract of land located on the south side of Schaefer Road, approximately 1,715 feet east of the intersection with FM 1518. (S.Williams/B.James)

Mayor Gutierrez recognized Deputy City Manager Brian James who stated the property is being donated to the City and staff are seeking approval to accept the donation. Staff have toured the property and done some preliminary studies to include soil samples. Issues that were found have been addressed. Mr. James assured Council that staff are continuing to research the property to ensure the City isn't buying a problem property.

After brief discussion, Mayor Gutierrez asked for a motion to approve Resolution 23-R-139.

Moved by Councilmember Allison Heyward, seconded by Mayor Pro-Tem Michelle Watson

AYE: Mayor Pro-Tem Michelle Watson, Councilmember Mark Davis, Councilmember Paul Macaluso, Councilmember Tiffany Gibson, Councilmember Robert Westbrook, Councilmember Allison Heyward, Councilmember Tim Brown

Passed

- 14. Resolution 23-R-136** - Authorizing the City Manager to accept an approximately 5.913 acre tract of land located on the southwest side of FM 1518 at the intersection of FM 1518 and Nell Deane Blvd. (S. Gonazalez/L. Shrum)

Mayor Gutierrez recognized Parks and Rec Director Lauren Shrum who stated that a former member of the Parks and Rec Advisory Board approached her with the opportunity to accept a donation of his property. No studies have been done to date. Property is in the floodway.

Mayor Gutierrez asked for a motion to approve Resolution 23-R-136.

Moved by Councilmember Allison Heyward, seconded by Councilmember Tiffany Gibson

AYE: Mayor Pro-Tem Michelle Watson, Councilmember Mark Davis, Councilmember Paul Macaluso, Councilmember Tiffany Gibson, Councilmember Robert Westbrook, Councilmember Allison Heyward, Councilmember Tim Brown

Passed

15. Discussion and Action regarding the upcoming City of Schertz appointment to the Schertz Seguin Local Government Corporation (SSLGC)
(S.Williams/B.James/L.Busch)

Mayor Gutierrez recognized City Manager Steve Williams, who explained the appointment process for the SSLGC Board. Mayor Gutierrez and Mr. Williams asked Councilmember Tim Brown to accept a nomination to serve on the Board. City Attorney Dan Santee stated that attorneys for the City and the Board are in agreement that there is nothing in the law that precludes Councilmember Brown from serving on the Board with the understanding that a conflict could arise from which Councilmember Brown would need to abstain. Councilmember Brown stated he understood and accepted the nomination for the appointment.

Mayor Gutierrez made the motion from the Chair to nominate Councilmember Brown as a member of the SSLGC Board, seconded by Councilmember Allison Heyward.

AYE: Mayor Pro-Tem Michelle Watson, Councilmember Mark Davis,
Councilmember Paul Macaluso, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward
Passed

16. Approval of the Classification and Compensation Implementation Plan
(S.Williams/S.Gonzalez/J.Kurz)

Mayor Gutierrez recognized City Manager Steve Williams, who stated it was affirmed during the pre-budget workshop that the number one priority for the new fiscal year was going to be compensation because Schertz was lagging behind the market, resulting in high turnover rates as well as high vacancy rates. In order to maintain a competitive posture in the market in which we were competing, an adjustment of salaries to get into the range of our comparison cities are averaging was necessary. To do this, the City contracted with Public Sector Personnel Consultants (PSPC).

Mayor Gutierrez recognized Matthew Weatherly, President and owner of PSPC, who presented a brief overview of the findings of the Comprehensive Class and Comp Study. Following the presentation, Mayor Gutierrez opened the floor to the Council for discussion. No discussion occurred.

Mayor Gutierrez asked for a motion to approve the Comp Study.

Moved by Councilmember Allison Heyward, seconded by Mayor Pro-Tem Michelle Watson

AYE: Mayor Pro-Tem Michelle Watson, Councilmember Mark Davis,
Councilmember Paul Macaluso, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

Public Hearings

17. **Ordinance 23-S-32** – Conduct a public hearing and consider a request for a Specific Use Permit to allow a convenience store with gas pumps on approximately 7.8 acres of land, located approximately 51-feet west from the intersection of IH-35 N Access Road and FM 2252, also known as Guadalupe County Property Identification Number 114083 and Comal County Property Identification Number 119021, City of Schertz, Guadalupe and Comal County, Texas. *First Reading* (B.James/L.Wood D.Marquez)

Mayor Gutierrez recognized Daisy Marquez, Planner, who provided the location of the subject property, that five public hearing notices were sent November 1, 2023, a public hearing notice was published in the San Antonio Express News on November 29, 2023, and the responses received were as follows: 1 in favor; 4-opposed; 0 neutral.

A Specific Use Permit (SUP) is not subject to LGC Code 211.006(d), thus a 3/4 majority vote is not required by City Council.

The Planning and Zoning Commission conducted a public hearing on November 15, 2023, and offered a recommendation of approval with the condition that a building permit is issued within two (2) years of the SUP ordinance approval.

Staff recommends approval of the Specific Use Permit to allow a convenience store with gas pumps on the subject property with the condition that a building permit is issued within two (2) years of the SUP ordinance approval.

Mayor Gutierrez recognized Cheryl Chinen, a broker associate with DRG Commercial, representing the developer. Ms. Chinen presented a proposed plan prepared by the architect for the development, including the landscape plan.

Mayor Gutierrez opened the Public Hearing at 7:23 p.m.

Dana Eldridge, 2628 Gallant Fox Drive, expressed concerns with the location creating a greater issue with traffic on IH-35 access.

Mayor Gutierrez closed the Public Hearing at 7:26 p.m. and opened the floor to Council for discussion.

- Councilmember Brown mentioned that TxDOT improvements are underway to alleviate some of the traffic issues.
- Councilmember Macaluso expressed concerns about enforcement of the overnight parking restrictions placed on trucks.
 - Deputy City Manager James indicated that overnight parking is not a violation of the code from the City's perspective, so it would be difficult to enforce it.
- Councilmember Heyward stated that there may be a need for greater enforcement

of traffic violations, such as excessive speed and failure to abide by posted stop signs for big trucks.

Mayor Gutierrez asked for a motion to approve Ordinance 23-8-32.

Moved by Mayor Pro-Tem Michelle Watson, seconded by Councilmember Tim Brown

AYE: Mayor Pro-Tem Michelle Watson, Councilmember Mark Davis, Councilmember Paul Macaluso, Councilmember Tiffany Gibson, Councilmember Robert Westbrook, Councilmember Allison Heyward, Councilmember Tim Brown

Passed

- 18. Ordinance 23-S-33** - Conduct a public hearing and consider a request for a Specific Use Permit to allow a truck terminal on approximately 4 acres of land located approximately 660-feet west from the intersection of Baugh Lane and Schwab Road, also known as Comal Property Identification Number 464879, City of Schertz, Comal County, Texas. *First Reading* (B.James/L.Wood/D.Marquez)

Mayor Gutierrez recognized Daisy Marquez, Planner, who provided the location of the subject property, that four public hearing notices were sent November 1, 2023, a public hearing notice was published in the San Antonio Express News on November 29, 2023, and the responses received were as follows: 0 in favor; 0-opposed; 0 neutral. Applicant is requesting a Specific Use Permit to allow a Truck Terminal on the approximate 4 acres. UDC 21.5.8 requires an SUP for a Truck Terminal in General Business District. A Specific Use Permit (SUP) is not subject to LGC Code 211.006(d), thus a 3/4 majority vote is not required by City Council.

The Planning and Zoning Commission conducted a public hearing on November 15, 2023, and offered a recommendation of approval with the condition that a building permit is issued within two (2) years of the SUP ordinance approval. Staff recommends approval of the Specific Use Permit to allow a convenience store with gas pumps on the subject property with the condition that a building permit is issued within two (2) years of the SUP ordinance approval.

Mayor Gutierrez opened the Public Hearing at 7:39 p.m.

No public spoke regarding Ordinance 23-R-33.

Mayor Gutierrez closed the Public Hearing at 7:39 p.m. and opened the floor to Council for discussion. No discussion occurred.

Mayor Gutierrez asked for a motion to approve Ordinance 23-R-33.

Moved by Councilmember Mark Davis, seconded by Mayor Pro-Tem Michelle Watson

AYE: Mayor Pro-Tem Michelle Watson, Councilmember Mark Davis,
Councilmember Paul Macaluso, Councilmember Tiffany Gibson,
Councilmember Robert Westbrook, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

- 19. Ordinance 23-S-34** - Conduct a public hearing and consider a Specific Use Permit to allow a convenience store with gas pumps on approximately 1.61 acres of land, located at the intersection of Schaefer Road and FM 1518, also known as: 11786 Schaefer Road, City of Schertz, Bexar County, Texas. *First Reading* (B.James/L.Wood/S.Haas)

Mayor Gutierrez recognized Samuel Haas, Senior Planner, who provided the location of the subject property, that 18 public hearing notices were sent November 3, 2023, a public hearing notice was published in the San Antonio Express News on November 29, 2023, and the responses received were as follows: 1 - in favor; 5 - opposed; 0 - neutral.

Per applicant letter of intent, the applicant is proposing to construct an approximately 8,725 square foot strip center with an approximately 2,040 square foot canopy over gas pumps. A Specific Use Permit (SUP) is required to allow gas pumps. An SUP is not subject to LGC Code 211.006(d), thus a 3/4 majority vote is not required by City Council.

The Planning and Zoning Commission met on November 15, 2023, and offered a recommendation of approval with a 4-2 vote on the condition that Conceptual Site Plan be adhered to.

The Schertz Departments of Engineering, Planning, Fire, and Public Works have reviewed the application with no objection. Therefore, staff recommends approval of Ordinance 23-S-34 as presented with conditions as follows:

1. A building permit is approved within two years of the adoption of the SUP Ordinance.
2. The convenience store with gas pumps adheres to the Conceptual Site Plan as much as possible.

Mayor Gutierrez recognized Patrick Christenson, who was representing the developer. Mr. Christenson shared that the developer noted there are no gas stations between FM 78 and IH-10 on FM 1518 and that this development will have EV charging stations and Wi-Fi indoors.

Mayor Gutierrez opened the Public Hearing at 7:49 p.m.

Tim Knotts, 12050 Lower Seguin Road, supports the idea for having gas pumps at the subject property.

The following residents spoke in opposition to the SUP for gas pumps citing safety,

property values, and traffic concerns:

Lance Campbell, 1048 Pecan Branch
Alex Smith, 11708 Cypress Barn
Bill Charest, 10425 Bowies Knoll
Denise Torres, 11705 Cypress Barn
Simone Owens, 10501 Pecan Branch
Lora Balusik, 10315 Owl Woods

Mayor Gutierrez closed the Public Hearing at 8:02 p.m. and opened the floor to Council for discussion.

- Councilmember Davis voiced concerns with the lighting associated with gas stations, in addition to the egress/regress for the subject property. Agrees South Schertz needs gas stations but its not a priority.
- Councilmember Gibson stated she lives off of FM 1518 and agrees a gas station could be problematic due to pollution and traffic. Quality of life will be affected.
- Councilmember Westbrook asked Mr. Haas why he believes that the proposed use is compatible with and preserves the character and integrity of adjacent developments and neighborhoods, and includes improvements either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as safety, traffic, noise, odors, visual nuisances, drainage or other similar adverse effects to adjacent development and neighborhoods? Mr. Haas responded that the type of activity is compatible with commercial zoning. There is a Dollar General retail store to the north and FM 1518 is a major arterial thoroughfare. It is consistent with future comprehensive plan. Deputy City Manager Brian James added information related to TxDOT's projected improvements for FM 1518.
- Mayor Gutierrez added that there a number of gas stations on FM 3009 and one that backs up to a neighborhood on Schertz Parkway and Live Oak. FM 1518 will look a lot like FM 3009 in the future. Traffic is already there and will increase as neighborhoods increase. Understands the residents as it changes the character of their neighborhood.
- Councilmember Heyward asked how close is the Valero to Woodland Oaks? Mr. James responded that the proximity is close to what is being considered for the subject property.

Mayor Gutierrez asked for a motion to approve Ordinance 23-S-34.

Moved by Councilmember Tim Brown, seconded by Councilmember Paul Macaluso

AYE: Councilmember Paul Macaluso, Councilmember Allison Heyward,
Councilmember Tim Brown

NAY: Mayor Pro-Tem Michelle Watson, Councilmember Mark Davis,
Councilmember Tiffany Gibson, Councilmember Robert Westbrook

Failed

Mayor Gutierrez recessed to Closed Session at 8:19 p.m.

Closed Session

20. The City Council will meet in closed session under Section 551.087 of the Texas Government Code, Deliberation Regarding Economic Development Negotiations; Closed Meeting. The governmental body is not required to conduct an open meeting (1) to discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or (2) to deliberate the offer of a financial or other incentive to a business prospect.

- Project:E-88

Mayor Gutierrez convened Closed Session at 8:24 p.m.

Mayor Gutierrez recessed Closed Session at 9:20 p.m.

Reconvene into Regular Session

Mayor Gutierrez reconvened to Regular Session at 9:25 p.m.

21. Take any action based on discussion held in Closed Session under Agenda Item #20.

No action was taken based on discussion in Closed Session under Agenda Item #20.

Information available in City Council Packets - NO DISCUSSION TO OCCUR

22. **Monthly Update** - Major Projects In Progress/CIP (B.James/K.Woodlee)

Requests and Announcements

- Requests by Mayor and Councilmembers for updates or information from Staff
No requests by Mayor or Councilmembers for updates or information from Staff.
- Requests by Mayor and Councilmembers that items or presentations be placed on a future City Council agenda
No requests by Mayor or Councilmembers that items or presentations be placed on a future City Council agenda.
- Announcements by Mayor and Councilmembers
 - City and Community Events attended and to be attended

*Mayor Pro-Tem Watson attended the Cibolo Parade and the Northcliff Parade.

*Councilmember Macaluso attended the Cibolo Parade and the Interview Committee Meeting.

*Councilmember Heyward attended the Animal Advisory Board Meeting, TML Public Fund Training, Cibolo Parade, the Jingle & Mingle Staff Event, and the Interview Committee Meeting. She also thanked Facilities Director Chad Lonsberry and his team for the amazing job done in setting up the new Council Office, with special thanks to Antonio Wilson and his wife for the light switch plate.

*Councilmember Brown stated he didn't attend any events but wanted to take the opportunity to wish everyone a Merry Christmas.

Adjournment

Mayor Gutierrez adjourned the meeting at 9:28 p.m.

Ralph Gutierrez, Mayor

ATTEST:

Sheila Edmondson, City Secretary

CITY COUNCIL MEMORANDUM

City Council Meeting: January 9, 2024
Department: Engineering
Subject: Resolution 24-R-02 – Authorizing a professional services agreement with Unintech Consulting Engineers, Inc., for the design of the Buffalo Valley South Utility Replacement and Street Rehabilitation Project (B.James/K.Woodlee/J.Nowak)

BACKGROUND

The Buffalo Valley South area is a subdivision on the south side of FM 1518 and includes such streets as 1st, 2nd, Lee, Church, Mill, etc. The attached maps shows all of the streets in the subdivision. Based on the PCI scores for the streets in this area, the streets should be in the SPAM program to preserve them. Normally the streets would be candidates for resurfacing, but due to the large amount of base failures in the streets, rehabilitation is more appropriate. Originally, these streets were planned to be part of the 2024 SPAM Resurfacing and Rehabilitation project.

However, the water mains and sanitary sewer mains are older pipes and need replacement. Some of the lines are smaller than our current minimum pipe sizes. The utility replacement needs required that the street work be delayed a year. The utility replacement also adds significant construction time to the overall project effort. In order to have a complete project, and get construction started as quickly as possible during the 24-25 Fiscal Year, Staff recommends doing the project design during this fiscal year.

By completing the design of the project this fiscal year, the project can be bid in the fall of 2024 and construction can start in October 2024, with the start of FY 24-25. This will also allow for enough construction time for the project to be completed by the end of 2025. The utility replacement portion of the project can use ARP funds and meet the deadlines associated with the funding. SPAM funding would be used for the street rehabilitation portion of the project.

GOAL

To obtain authorization from City Council to execute a Task Order Agreement with Unintech Consulting Engineers, Inc. for \$372,406 and a not to exceed amount of \$405,000 for the Buffalo Valley South Utility Replacement and Street Rehabilitation project

COMMUNITY BENEFIT

The professional engineering services will provide for the creation of the project bidding documents and bid result analysis, allowing the project to head to construction more quickly during the 24-25 Fiscal Year. Replacement of the water and sanitary sewer lines will replace aging infrastructure and improve utility services in the subdivision. Rehabilitation of the streets will provide for an improved pavement section and a new driving surface, restoring the streets to a near new condition.

SUMMARY OF RECOMMENDED ACTION

Authorize execution of a Task Order Agreement with Unintech Consulting Engineers, Inc. for \$372,406 and a not to exceed amount of \$405,000 for the Buffalo Valley South Utility Replacement and Street Rehabilitation project.

FISCAL IMPACT

Funding for the project will come from the existing Streets Division budget line item for Outsourced Street Maintenance and ARP Funds. The funding breakdown is as follows:

Funding Source	Amount	Work Items
Outsourced Street Maintenance	\$160,000	Street Rehabilitation
ARP Funds	\$245,000	Water and Sewer Line Replacement
Total Cost:	\$405,000	

RECOMMENDATION

Approve Resolution 24-R-02

Attachments

Res 24-R-02 with attachment
Buffalo Valley South Map

RESOLUTION NO. 24-R-02

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AUTHORIZING EXPEDITURES WITH UNINTECH CONSULTING ENGINEERS INC., FOR PROFESSIONAL ENGINEERING-RELATED SERVICES ON THE BUFFALO VALLEY SOUTH UTILITY REPLACEMENT AND STREET REHABILITATION PROJECT, AND OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, the City staff of the City of Schertz (the “City”) has determined that the City requires professional services relating to engineering and design for the Buffalo Valley South Utility Replacement and Street Rehabilitation Project; and

WHEREAS, City staff has determined that Unintech Consulting Engineers, Inc. is uniquely qualified to provide such services for the City; and

WHEREAS, Unintech Consulting Engineers, Inc. is an approved On-Call Engineering Firm for the City of Schertz; and

WHEREAS, pursuant to Section 252.022(a)(4), the City is not required to seek bids or proposals with respect to a procurement for personal, professional, or planning purposes; and

WHEREAS, the City Council has determined that it is in the best interest of the City to contract with Unintech Consulting Engineers, Inc. pursuant to the On-Call Task Order Agreement attached hereto as Exhibit A (the “Agreement”) up to a maximum total aggregate amount of \$405,000.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS THAT:

Section 1. The City Council hereby authorizes the City Manager to execute and deliver the Task Order Agreement with Unintech Consulting Engineers, Inc. in accordance with their approved Master Agreement in substantially the form set forth on Exhibit A in the amount of \$372,406 and authorize the City Manager to execute and deliver the Task Order in a not to exceed total aggregate amount of \$405,000.

Section 2. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 3. All resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 4. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Resolution would have been enacted without such invalid provision.

Section 6. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 7. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED AND ADOPTED, this _____ day of _____, 2024.

CITY OF SCHERTZ, TEXAS

Ralph Gutierrez, Mayor

ATTEST:

Sheila Edmondson, City Secretary

(CITY SEAL)

EXHIBIT A
TASK ORDER NO. 24 SERVICES AGREEMENT

This is Task Order
No. 2, consisting of
17 pages.

Task Order

In accordance with Paragraph 1.01 of the Agreement Between Owner and Engineer for Professional Services – Task Order Edition, dated 10-9-2019 ("Agreement"), Owner and Engineer agree as follows:

1. Background Data

- a. Effective Date of Task Order:
- b. Owner: City of Schertz
- c. Engineer: Unitech Consulting Engineers, Inc.
- d. Specific Project (title): Buffalo Valley South – Street Reconstruction
- e. Specific Project (description): Provide topographic survey, geotechnical services, civil design services for the reconstruction/reclamation of streets in Buffalo Valley South; specifically: Mill St, 1st St., 2nd St., Bowman St., Lee St., Church St., Zuehl St., Wuest. Project includes the reconstruction of water mains and sewer mains within the right of ways listed.

2. Services of Engineer

- A. The specific services to be provided or furnished by Engineer under this Task Order are:

as follows:

Scope of services as set out in the attached letter of proposal.

- B. Resident Project Representative (RPR) Services

Does not apply.

- C. Designing to a Construction Cost Limit

Does not apply

- D. Other Services

Engineer shall also provide the following services:

None

- E. All of the services included above comprise Basic Services for purposes of Engineer’s compensation under this Task Order.

3. Additional Services

- A. Additional Services that may be authorized or necessary under this Task Order are:

those services (and related terms and conditions) set forth in Paragraph A2.01 of Exhibit A, as attached to the Agreement referred to above, such paragraph being hereby incorporated by reference.

4. Owner's Responsibilities

Owner shall have those responsibilities set forth in Article 2 of the Agreement and in Exhibit B, subject to the following:

N/A.

5. Task Order Schedule

In addition to any schedule provisions provided in Exhibit A or elsewhere, the parties shall meet the following schedule:

<u>Party</u>	<u>Action</u>	<u>Schedule</u>
Engineer	Furnish 1 digital review copy of the 40% plans, opinion of probable Construction Cost, and other Preliminary Design Phase deliverables to Owner.	Within 80 days of Owner’s authorization to proceed with Preliminary Design Phase services.
Owner	Submit comments regarding 40% Phase documents, opinion of probable Construction Cost, and other Preliminary Design Phase deliverables to Engineer.	Within 7 days of the receipt of deliverables from Engineer.
Engineer	Furnish 1 digital copy of the 70% Plan and Specifications to Owner.	Within 30 days of Owner’s authorization to proceed with 70% design phase.
Owner	Submit comments and instructions regarding the 70% Plan and any other deliverables, to Engineer.	Within 7 days of the receipt of the deliverables from Engineer.
Engineer	Furnish 1 digital copy of the 95% Plan and Specifications, assembled drafts of other Construction Contract Documents, the draft bidding-related documents (or requests for proposals or other construction procurement documents), and any other Final Design Phase deliverables, to Owner.	Within 30 days of Owner’s authorization to proceed with 95% Design Phase services.
Owner	Submit comments and instructions regarding the 95% Drawings and Specifications, assembled drafts of other Construction Contract Documents, the draft bidding-related documents (or requests for proposals or other construction procurement	Within 7 days of the receipt of the 95% Drawings and Specifications, assembled drafts of other Construction Contract Documents, the draft bidding-related documents (or requests for proposals or other construction

	documents), and any other Final Design Phase deliverables, to Engineer.	procurement documents), and any other Final Design Phase deliverables from Engineer.
Engineer	Furnish 1 digital copy of the revised Final Drawings and Specifications, assembled Construction Contract Documents, bidding-related documents (or requests for proposals or other construction procurement documents), and any other Final Design Phase deliverables, to Owner.	Within 10 days of the receipt of Owner's comments and instructions regarding the previous Design Phase deliverables
Owner	Submit comments and instructions regarding the final/bid Drawings and Specifications, assembled drafts of other Construction Contract Documents, the draft bidding-related documents (or requests for proposals or other construction procurement documents), and any other Final Design Phase deliverables, to Engineer.	Within 10 days of the receipt of the final Drawings and Specifications, assembled drafts of other Construction Contract Documents, the draft bidding-related documents (or requests for proposals or other construction procurement documents), and any other Final Design Phase deliverables from Engineer.

6. Payments to Engineer

A. Owner shall pay Engineer for services rendered under this Task Order as follows:

Description of Service	Amount	Basis of Compensation
1. Basic Services (Part 1 of Exhibit A)		
a. 40% Design Phase	\$143,790.00	Lump Sum
b. 70% Design Phase	\$75,845.00	Lump Sum
c. 95 Design Phase	\$43,740.00	Lump Sum
d. Bid Phase	\$10,950.00	Lump Sum
e. Construction Phase	\$26,880.00	Lump Sum
f. Close out	\$6,000.00	Lump Sum
2. Topographic Survey	\$26,450.00	Lump Sum
3. Geotechnical Sampling & Report	\$21,951.00	Lump Sum
4. Sewer Main CCTV Services	\$16,800.00	Lump Sum
TOTAL COMPENSATION (lines 1.-3)	\$372,406.00	
4. Additional Services (Part 2 of Exhibit A)	(N/A)	Hourly rates

*Based on a 12 -month continuous construction period.

Compensation items and totals based in whole or in part on Hourly Rates or Direct Labor are estimates only. Lump sum amounts and estimated totals included in the breakdown by phases incorporate Engineer's labor, overhead, profit, reimbursable expenses (if any), and Consultants' charges, if any. For lump sum items, Engineer may alter the distribution of compensation between individual phases (line items) to be consistent with services actually rendered, but shall not exceed the total lump sum compensation amount unless approved in writing by the Owner.

B. The terms of payment are set forth in Article 4 of the Agreement and in the applicable governing provisions of Exhibit C.

7. Consultants retained as of the Effective Date of the Task Order:

Task Order Form

EJCDC® E-505, Agreement Between Owner and Engineer for Professional Services – Task Order Edition.
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 and American Society of Civil Engineers. All rights reserved.

8. Other Modifications to Agreement and Exhibits:

9. Attachments:

a. Letter of Proposal date 12-19-2023

10. Other Documents Incorporated by Reference:

11. Terms and Conditions

Execution of this Task Order by Owner and Engineer shall make it subject to the terms and conditions of the Agreement (as modified above), which Agreement is incorporated by this reference. Engineer is authorized to begin performance upon its receipt of a copy of this Task Order signed by Owner.

The Effective Date of this Task Order is [].

OWNER:

By: _____

Print Name: _____

Title: _____

ENGINEER:

By: Mark B Hill

Print Name: Mark B Hill, PE
Unintech Consulting Engineers, Inc.

Title: Civil Division Director

Engineer License or Firm's
Certificate No. (if required): 94904
State of: Texas

DESIGNATED REPRESENTATIVE FOR TASK ORDER:

Name: _____

Title: _____

Address: _____

E-Mail
Address: _____

Phone: _____

DESIGNATED REPRESENTATIVE FOR TASK ORDER:

Name: Mark B Hill, PE

Title: Civil Division Director

Address: 2431 E Evans Road
San Antonio, Texas 78259

E-Mail
Address: mhill@unintech.com

Phone: 21-641-6003

Task Order Form

EJCDC® E-505, Agreement Between Owner and Engineer for Professional Services – Task Order Edition.
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UNINTECH CONSULTING ENGINEERS, INC.

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December 19, 2023

City of Schertz
Engineering Department
10 Commercial Place, Bldg 2
Schertz, TX 78154
Office: (210) 619-1825

Attn: John Nowak, PE

Re: City of Schertz – On-Call Civil Engineering Services Agreement
Proposal – Buffalo Valley South - Reconstruction

Unintech Consulting Engineers, Inc. is pleased to provide this proposal for professional engineering services to the City of Schertz for the preparation of construction documents for the **Buffalo Valley South Reconstruction** project.

Our understanding of the scope of work is that the City of Schertz desires to reconstruct/reclaim the pavement, and to replace the existing water mains and sewer mains, and associated appurtenances and services along the following streets:

Mill St, 1st St., 2nd St., Bowman St., Lee St., Church St., Zuehl St., Wuest.

The streets are anticipated to be designed to be reclaimed and stabilized, and resurfaced. The grades will be established to facilitate drainage, as necessary. Any curbs in poor condition will be removed and replaced. Any gravel or asphalt driveways to be replaced with concrete driveways. Wheelchair ramps to be installed at each corner.

The sewer main is to be replaced in placed, correcting any substandard slope. The water main is to be sized as an 8-in main, with updated appurtenances and fittings to meet current City design guidelines and codes.

Scope of Services

Survey

Upon release for the design phase, UNINTECH will provide the topographical survey of the proposed project limits to determine locations of existing utilities and pertinent topographic features, provide a DTM, locate underground utilities. UNINTECH will locate property corners to establish approximate right of way limits.

After the topographic survey is completed, and during design it may become apparent that subsurface utility locations (SUE) may be required due to crossing of existing gas or communication lines. The SUE location services will be considered additional services to be negotiated at a later date.

UNINTECH will employ a subconsultant to obtain CCTV recordings of the existing sewer mains in MP4 format for the identification of sewer service locations and existing conditions of the sewer pipe.



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Geotechnical

A geotechnical report is included in this proposal. The geotechnical subconsultant (HVJ, Inc.) will sample the existing streets in 7 locations for a depth up to 10-feet. The geotechnical will summarize findings, including existing pavement courses, subgrade engineering qualities, presence of ground water. The report will include recommendations for pavement replacement and reclamation.

Environmental

An environmental study is **not** included in this proposal.

Construction Plans

For the limits described above, per phase, UNINTECH will prepare a set of construction plans, specifications, and quantity estimate, for review, approval, and construction with associated details per the standards indicated in Statement of Work. Plans and specifications will be in conformance with City of Schertz standards of construction and materials.

UNINTECH will provide the general front end sheets, traffic control, roadway plans, water plans, and sewer plans, SWPPP, and associated details for the project, by design phase

The project will proceed along the following design milestones: 40 percent design, 70 percent design, 95 percent design, 100%/bid phase, construction phase and closeout. The proposed scope of work will follow the City of Schertz standard specifications and design guidance manual.

Deliverables for design phases will include construction plans and estimates. Preliminary bid documents will be provided with the 95% phase submittals with all anticipated special specifications. Deliverables will be provided in PDF format. (CAD files and hard copy bound sets, upon request).

Permitting

These streets are located within the FEMA designated 100-year flood plain. Work within the flood plain will require a floodplain permit. UNINTECH will prepare the necessary documents to submit to the City for floodplain permitting.

No additional permitting is anticipated.

No easements acquisition is anticipated.

100% Design/Bid Phase

For the limits described above, per phase, UNINTECH will provide Bid Documents, Bid Tabulations and recommendation for awards, attend a Pre-Bid meeting and respond to contractor questions.

Construction Phase

For the limits described above, per phase, Unintech Consulting Engineers, Inc. will attend a pre-construction meeting with the City and selected contractor. UNINTECH will provide review of contractor pay applications, submittals, and RFI. A UNINTECH representative will make two (2)



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site visits per month for 12 months during the construction to observe overall conformance to the plans.

Close out

UNITECH will attend the final walkthrough with the contractor and City personnel, and provide a punch list of items to be addressed by the contractor. The contractor redlines will be translated into plan of record documents to be provided to the City for the water, sewer, and street plans.

Project Design Schedule

It is anticipated that complete design of the project from the notice to proceed to the preparation of bid documents will require approximately 21 weeks.

- 40% Design – 80 calendar day
- 70% Design – 30 calendar days
- 95% Design – 30 calendar days
- 100%/Bid Phase – 20 calendar days
- Construction – 12 months
- Closeout – 30 calendar days

Engineering Fee

Compensation for these services will be in the amount of **\$373,076.00**, which will cover all costs associated with the scope described above, as further detailed in the attached Project Work Plan and Fee Proposal Breakdowns.

40% Design Phase	\$143,790.00
70% Design Phase	\$75,845.00
95 Design Phase	\$43,740.00
Bid Phase	\$10,950.00
Construction Phase	\$26,880.00
Close out	\$6,000.00
Topographic Survey	\$26,450.00
Geotechnical Sampling & Report	\$21,951.00
Sewer Main CCTV Services	\$16,800.00
TOTAL COMPENSATION	\$372,406.00

Additional services and significant changes will be compensated for as provided by Schedule of Fees in the agreement for Engineering Services between the City of Schertz and Unitech Consulting Engineers, Inc. dated October 9, 2019.

Fees payable to permitting agencies will be the responsibility of the City of Schertz.

Should there be any questions or if further information is needed, please do not hesitate to call us at 210-641-6003.



UNINTECH CONSULTING ENGINEERS, INC.

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Sincerely,

A handwritten signature in black ink that reads "Mark B Hill".

Mark B Hill, P.E.

UNINTECH CONSULTING ENGINEERS, INC.

Encl: Project Work Plan and Fee Proposal Breakdown

City of Schertz

PROJECT WORK PLAN AND FEE PROPOSAL BREAKDOWN

Project: **Buffalo Valley South - Street Reconstruction**
 Prime Consultant: **UNINTECH CONSULTING ENGINEERS, INC.**
 Subconsultant:
 Proposal Date: **12/20/2023**
 Prepared By: **Mark B Hill, PE**

Project Manger	Project Engineer	EIT	CAD Tech
\$165.00	\$150.00	\$100.00	\$85.00

TASK CODE AND DESCRIPTION	HOURS	HOURS	HOURS	HOURS	TASK HOURS	TASK / PHASE FEE
40% Design	33	30	136	252	451	\$44,965.00
01.070. Project Administration (includes but not limited to invoicing, sub consultants managemen	16				16	\$2,640.00
01.080. QA/QC (processes, communication, and deliverables)	16				16	\$2,640.00
04.010. Typical Sections - Existing and Proposed		1	8		9	\$950.00
04.020. Horizontal Roadway Alignments		8	8		16	\$2,000.00
04.030. Roadway Profiles		2	8		10	\$1,100.00
04.040. Street Cross Sections		2	8	24	34	\$3,140.00
04.050. Plan and Profile Sheets		8	60	156	224	\$20,460.00
04.070. Driveway Summary Sheet		2	8	24	34	\$3,140.00
08.010. Construction Phasing Typical Sections		1	4		5	\$550.00
08.020. Construction Phasing and Sequence of Work		1	4		5	\$550.00
08.030. Conceptual Construction Phasing Layouts		1	4		5	\$550.00
09.010. Intersection Layouts		2	16	40	58	\$5,300.00
11.010. 40% Plans Cost Estimate	1	2	8	8	19	\$1,945.00
70% Design	20	31	50	108	209	\$22,130.00
01.030. Design Review Meetings (70%)	2				2	\$330.00
01.080. QA/QC (processes, communication, and deliverables)	16				16	\$2,640.00
04.010. General Sheets – Index, Summaries / Quantities, Supplemental General Notes		1	2	8	11	\$1,030.00
04.020. Refine Typical Roadway Sections (Existing and Proposed) for various roadways in project area		2	8	8	18	\$1,780.00
04.030. Horizontal Roadway Alignments		1	4		5	\$550.00
04.040. Roadway Profiles		1	4		5	\$550.00
04.050. Street Cross Sections		2	4	8	14	\$1,380.00
04.060. Develop Plan and Profile sheets for 1" = 40' plans		4	12	24	40	\$3,840.00
04.070. Driveway Summary Sheet		2	4	8	14	\$1,380.00
08.010. Construction Phasing Typical Sections		1		8	9	\$830.00
08.020. Construction Phasing and Sequence of Work			4		4	\$400.00
08.030. Construction Phasing Layouts			4	8	12	\$1,080.00
08.040. Traffic control and advanced warning devices			4	8	12	\$1,080.00
08.050. Detour layouts and barricade plans		1		4	5	\$490.00
09.010. Intersection Layouts		2		16	18	\$1,660.00
09.060.010. SW3P Narrative		1		4	5	\$490.00
09.060.020. SW3P Layouts		1		4	5	\$490.00
09.080.020. List of Governing Specifications		4			4	\$600.00
11.010. 70% Plans Cost Estimate	2	8			10	\$1,530.00
95% Design	6	13	42	64	125	\$12,580.00
01.030. Design Review Meetings (95%)	2				2	\$330.00
01.080. QA/QC (processes, communication, and deliverables)	4				4	\$660.00
04.010. General Sheets – Index, Summaries / Quantities, Supplemental General Notes		1	4		5	\$550.00
04.050. Street Cross Sections		1	4	16	21	\$1,910.00
04.060. Develop Plan and Profile sheets for 1" = 40' plans		1	4	16	21	\$1,910.00
04.080. Driveway Summary Sheet		1	4	4	9	\$890.00
08.010. Construction Phasing Typical Sections			1	4	5	\$440.00
08.020. Construction Phasing and Sequence of Work			1	4	5	\$440.00
08.030. Construction Phasing Layouts			1	4	5	\$440.00
09.010. Intersection Layouts			1	8	9	\$780.00
09.060. SW3P Plan			1	4	5	\$440.00
09.060.010. SW3P Narrative			1	4	5	\$440.00
09.090.030. Bid Documents		8	16		24	\$2,800.00
11.010. 95% Plans Cost Estimate		1	4		5	\$550.00
Bid Phase	13	12	12	0	37	\$5,475.00
12.010. Submit 100% Plans With All Joint-Bid Utilities		4	8		12	\$1,400.00
12.020. Final Project Specifications Book	2	8			10	\$1,530.00
12.060. Attend 100% Review Meeting	2				2	\$330.00
12.070. Assist the City in Preparing Advertising Documents	2				2	\$330.00
12.090. Participate in Pre-Bid Meeting	2				2	\$330.00
12.100. Respond to Contractor Questions	2				2	\$330.00
12.110. Prepare and Distribute Necessary Addenda	2				2	\$330.00
12.120. Prepare Bid Tabulation and Letter of Recommendation	1		4		5	\$565.00
12.130. Participate in Pre-Con meeting	2				2	\$330.00
Construction Phase	16	72	0	0	88	\$13,440.00
13.020. Review Contractor Pay Estimates	12	12			24	\$3,780.00
13.030. Review / Negotiate Change Orders	2				2	\$300.00
13.040. Review Shop Drawings	2				2	\$300.00
13.050. Respond to RFIs	2				2	\$300.00
13.060. Project Site Visits and Reports (Minimum Two Per Month)	48				48	\$7,200.00
13.070. Participate in Construction Progress Meetings and Prepare Meeting Minutes (Coincide With 13.6 When	2				2	\$300.00
13.080. Final Walkthrough and Punchlist Review	4	4			8	\$1,260.00
Project Closeout	0	2	4	16	22	\$2,060.00
14.010. Prepare Record Drawings		2	4	16	22	\$2,060.00
Subconsulting Services						\$48,401.00
1 Topographic Survey						\$26,450.00
2 Geotechnical Samping and Report						\$21,951.00
TOTAL BASE FEE WITH HOUR BREAKDOWN	88	160	244	440	932	\$149,051.00

City of Schertz

PROJECT WORK PLAN AND FEE PROPOSAL BREAKDOWN

Project: **Buffalo Valley South - Street Reconstruction**
 Prime Consultant: **UNINTECH CONSULTING ENGINEERS, INC.**
 Subconsultant:
 Proposal Date: **12/20/2023**
 Prepared By: **Mark B Hill, PE**

Project Manger	Project Engineer	EIT	CAD Tech
\$165.00	\$150.00	\$100.00	\$85.00

TASK CODE AND DESCRIPTION	HOURS	HOURS	HOURS	HOURS	TASK HOURS	TASK / PHASE FEE
40% Design	45	165	250	490	509	\$98,825.00
Project initiation, coordination, and setup	4		4		8	\$1,060.00
Conduct field reconnaissance to become familiar with project sites.	4	4	4	4	16	\$2,000.00
Review record drawings and block maps provided		4	8	8	20	\$2,080.00
Obtain all available mapping of underground or overhead utilities in the project area and incorporate utility information int		4	16	8	12	\$1,080.00
Conduct preliminary coordination with outside agencies and utilities for permitting purposes and potentia		4	8	24	20	\$2,200.00
Develop a digital base map of the project area incorporating ownership, ROWs, photography, topograph		1			36	\$3,440.00
Prepare 40% Plans - Cover Sheet, Index, Gen Notes		1		8	9	\$830.00
Prepare 40% Plans - Quantities		1	4	4	9	\$890.00
Prepare 40% Plans - Plan/Plan and Profile and Details	16	60	80	180	336	\$34,940.00
Prepare 40% Plans - Tree Protection Plan and Details		1		8	9	\$830.00
Insert Quantity Table Per Sheet		2		16	18	\$1,660.00
40% OPCC Estimate - Class 2		8		8	16	\$1,880.00
Project initiation, coordination, and setup	4					\$660.00
Prepare 40% Plans - Cover Sheet, Index, Gen Notes			2	8		\$880.00
Prepare 40% Plans - Quantities		1		4		\$490.00
Prepare 40% Plans - Plan/Plan and Profile and Details	16	60	80	150		\$32,390.00
Prepare 40% Plans - Lateral Sections		4	24	48		\$7,080.00
Insert Quantity Table Per Sheet		4		4		\$940.00
40% OPCC Estimate - Class 2		1	8			\$950.00
Prepare Draft TCEQ Variance & Transmittal		4				\$600.00
03 Prepare Submittal to City	1	2	8	8		\$1,945.00
70% Design	23	77	190	224	239	\$53,715.00
Design Review Meetings (70%)	2				2	\$330.00
QA/QC (processes, communication, and deliverables)	4				4	\$660.00
Prepare 70% Plans - Cover Sheet, Index, Gen Notes		1		4	5	\$490.00
Prepare 70% Plans - Quantities		1	4	4	9	\$890.00
Prepare 70% Plans - Plan/Plan and Profile and Details	8	32	72	72	184	\$19,440.00
Prepare 70% Plans - Tree Protection Plan and Details		1		8	9	\$830.00
Insert Quantity Table Per Sheet		2		16	18	\$1,660.00
70% OPCC Estimate - Class 2	2	8			10	\$1,530.00
Prepare 70% Plans - Cover Sheet, Index, Gen Notes			2	8		\$880.00
Prepare 70% Plans - Quantities		1		4		\$490.00
Prepare 70% Plans - Plan/Plan and Profile and Details	8	16	72	72		\$17,040.00
Prepare 70% Plans - Lateral Sections		4	24	24		\$5,040.00
Insert Quantity Table Per Sheet		4		4		\$940.00
70% OPCC Estimate - Class 2		1	8			\$950.00
Prepare Draft TCEQ Variance & Transmittal		4				\$600.00
04 Prepare Submittal to City	1	2	8	8		\$1,945.00
95% Design	24	48	64	160	30	\$31,160.00
Design Review Meetings (95%)	2				2	\$330.00
QA/QC (processes, communication, and deliverables)	4				4	\$660.00
Finalize Plan & Profile sheets for 1" = 40' (H), 1" = 5' (V)	4	4	24	64		\$9,100.00
Finalize Quantity Table Per Sheet		8		16		\$2,560.00
Finalize 95% OPCC Estimate - Class 1		8				\$1,200.00
Perform internal QA/QC.	4					\$660.00
Prepare Draft QMP Letter	1					\$165.00
Finalize Plan & Profile sheets for 1" = 40' (H), 1" = 5' (V)	4	4	24	64		\$9,100.00
Finalize Quantity Table Per Sheet		8		16		\$2,560.00
Finalize 95% OPCC Estimate - Class 1		8				\$1,200.00
Perform internal QA/QC.	4					\$660.00
Prepare Draft QMP Letter	1					\$165.00
Bid Documents		8	16		24	\$2,800.00
Bid Phase	13	12	12	0	37	\$5,475.00
12.010. Submit 100% Plans With All Joint-Bid Utilities		4	8		12	\$1,400.00
12.020. Final Project Specifications Book	2	8			10	\$1,530.00
12.060. Attend 100% Review Meeting	2				2	\$330.00
12.070. Assist the City in Preparing Advertising Documents	2				2	\$330.00
12.090. Participate in Pre-Bid Meeting	2				2	\$330.00
12.100. Respond to Contractor Questions	2				2	\$330.00
12.110. Prepare and Distribute Necessary Addenda	2				2	\$330.00
12.120. Prepare Bid Tabulation and Letter of Recommendation	1		4		5	\$565.00
12.130. Participate in Pre-Con meeting	2				2	\$330.00
Construction Phase	16	72	0	0	88	\$13,440.00
13.020. Review Contractor Pay Estimates	12	12			24	\$3,780.00
13.030. Review / Negotiate Change Orders		2			2	\$300.00
13.040. Review Shop Drawings		2			2	\$300.00
13.050. Respond to RFIs		2			2	\$300.00
13.060. Project Site Visits and Reports (Minimum Two Per Month)		48			48	\$7,200.00
13.070. Participate in Construction Progress Meetings and Prepare Meeting Minutes (Coincide With 13.6 When		2			2	\$300.00
13.080. Final Walkthrough and Punchlist Review	4	4			8	\$1,260.00
Project Closeout	0	2	16	24	42	\$3,940.00
14.010. Prepare Record Drawings		2	16	24	42	\$3,940.00
Subconsulting Services						\$16,800.00
1 Sewer Main CCTV						\$16,800.00
TOTAL BASE FEE WITH HOUR BREAKDOWN	121	376	532	898	945	\$223,355.00



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November 27, 2023

Mr. Mark B. Hill, PE
Unintech Consulting Engineers, Inc.
2431 E. Evans Road
San Antonio, Texas 78259

Re: Geotechnical Site Investigation
Buffalo Valley South Street Reconstruction, Water & Sewer Replacement
Schertz, Texas.
Owner: City of Schertz
HVJ Proposal No. SG 23 10478

Dear Mr. Hill:

HVJ South Central Texas, M&J Inc. (HVJSCTx) is pleased to submit this proposal to provide geotechnical investigation services for the above referenced project. Our scope work, as outlined in this proposal, provides the necessary and appropriate level of geotechnical engineering support required for the design.

Project Description

The project involves street reconstruction, water and sewer replacements along 1st Street, 2nd Street, Mill Street, Zuehl, Dowman, Mill Street and Wuest Street in Schertz, Texas.

Based on the information provided by Unintech, we understand that invert depth of the proposed water and sewer is about 8 feet or less, and will be replaced by open cut installation method.

All the streets are classified as local streets with no bus traffic. Pavement reconstruction will possibly include: 1) reclaiming the pavement with cement stabilization or asphalt emulsion stabilization of the base, treatment of the subgrade, and 2" HMAC surface.; (2) street excavation, subgrade stabilization, and 2" of HMAC surface, and 5" of HMAC base.

Pavement Design

HVJSCTx will retain specialized pavement engineer from HVJ Associates, Inc. (HVJ) to perform pavement engineering for this project.

Scope of Work

For this project, HVJSCTx will conduct the following:

- **Subsurface Exploration:** To investigate subsurface conditions and characterize soil at the project area, geotechnical borings will be drilled. As suggested by Unintech, the exploration will consist of seven (7) borings. Each boring will be drilled to a depth of 10 feet each, and therefore the total drilling footage for the project is 70 feet. Based on the project location and its expected geology, we anticipate encountering clay/sand deposits to the explored depth of 10 feet. However, if different soil and rock conditions are encountered during drilling activities, the boring depths may be adjusted.

Mr. Mark B. Hill, PE
Buffalo Valley South
November 27, 2023
SG 23 10478

The borings will be completed with a truck-mounted rig, equipped with flight augers and sampling tools. Soil samples will be collected using Shelby tubes and/or split-spoon samplers. Soil sampling will be performed continuously to a depth of 10 feet. Field-testing of soil samples will include pocket penetrometer readings in the cohesive soils and Standard Penetration Tests (SPT) in cohesionless soils. Rock coring will not be performed for this project.

Groundwater data will be obtained during and immediately after drilling, if encountered. Upon completion of drilling and groundwater readings, all completed borings will be backfilled with bentonite chips and will topped with a single lift of asphalt to match existing grade where applicable

HVJSCTx will perform Dynamic Cone Penetration (DCP) tests to evaluate subgrade conditions for this project. A total of two (2) DCP tests will be performed on the subgrade.

- Laboratory Tests: Laboratory index tests will be performed on select soil samples recovered from the test borings. The index tests will include Atterberg limits, minus 200 sieve, moisture content, and unconfined compressive strength tests. In addition, auger cuttings will be collected from each boring to perform California Bearing Ratio (CBR) on one (1) composite sample (i.e., composite sample will be prepared by combining auger cuttings of similar soils obtained from different borings/will be collected from unpaved areas near vicinity of the borings) and lime-pH series.

The collected field and laboratory data will be interpreted and used to develop geotechnical investigation report for the project. The result of field and laboratory investigation will be presented in a detailed Geotechnical Investigation Report. The report will include the following specific items:

- Site Vicinity/Topographic map,
- Geology map,
- Soils map,
- Plan of borings,
- Boring logs,
- Laboratory test results summary,
- Potential Vertical Rise (PVR),
- Groundwater conditions,
- Generalized subsurface conditions,
- Recommendations for open-cut installation of the utility lines,
- Trench safety recommendations,
- Pipe bedding and backfill recommendations,
- General discussion on construction and excavation recommendations,
- Pavement Design Report (by HVJ Associates Inc., detailed scopes are presented subsequently).

Mr. Mark B. Hill, PE
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The above-described report will be prepared by an engineer specializing in soil mechanics after reviewing available boring and laboratory data.

Pavement Design

HVJSCTx will be completing all the required geotechnical field investigation and lab testing results, which HVJ will use in the pavement evaluation and design work.

Task 1 Receive and Review HVJSCTx Field Investigations

HVJ will review the background data provided by HVJSCTx, Unintech, and City to evaluate site existing conditions. HVJ will produce a USDA Soils map of the project area with a brief description of each type of soil located within the project area. HVJ will rely on HVJSCTx for all other geotechnical information needed for pavement design including soil classification and Atterberg limits, California Bearing Ratio (CBR) tests, Dynamic Cone Penetrometer (DCP) tests for subgrade stiffness, sulphate and lime series testing for assumed lime stabilization of the subgrade and recommend percentage of lime based on pH requirements, and Potential Vertical Rise (PVR) estimates based on a 10' column of soil. HVJ will also need from HVJSCTx a recommendation for percent lime stabilization of high PI subgrades to meet the required pH.

Task 2 Estimate Pavement Design Traffic

HVJ will use street classification based minimum values as provided in the following table if no additional data are provided by HVJSCTx, Unintech, or the City of Schertz:

Roadway Functional Classification	Flexible Pavement 18-kip ESALs
Local Type A street with bus traffic	1,000,000
Local Type A street without bus traffic	100,000

Task 3 Develop Pavement Designs

HVJ will use the geotechnical recommendations from HVJSCTx (Task 1) and traffic design input data (Task 2) to prepare pavement designs for the following pavement options: (1) reclaiming the pavement with cement stabilization or asphalt emulsion stabilization of the base, treatment of the subgrade, and 2" HMAC surface.; (2) street excavation, subgrade stabilization, and 2" of HMAC surface, and 5" of HMAC base.

HVJ Associates will prepare the pavement design according to AASHTO Guide for Design of Pavement Structures 1993 Edition based design program, DARWin. The full depth reconstruction designs will be designed for 20-year design life criteria., using the minimum acceptable design traffic based on the functional classification of each street.

Task 4 Reporting and Reviews

HVJ will prepare one draft and one final pavement design report which include the following:

1. Document design input values and assumptions including traffic loads, assumed new pavement material strengths, environmental conditions, and pavement designlife.

Mr. Mark B. Hill, PE
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2. Proposed typical pavement designs for each alternative from pavement design software outputs (e.g., AASHTO DARWin based on AASHTO 1993)
3. Recommended pavement construction material specifications (Assuming standard City specifications)
4. Upon receipt of combined comments from HVJ-SCTx, Unintech, and City of Schertz, HVJ will prepare a final sealed pavement design report.

HVJ will submit a draft pavement design report for review. After resolution of comments, HVJ will prepare a final pavement design report. All submittals will be electronic. Additional revisions and/or supplements to the report following submittal of final report may be considered additional services.

Assumptions

The following assumptions were made in developing the scope and fee estimate for this project:

- HVJSCTx will coordinate with One-Call to locate underground utilities.
- City of Schertz will provide Right of Entry Permits,
- HVJSCTx will coordinate with the city for traffic control.
- Fees for Right-of-way permits will be waived.
- Unintech will provide an electronic site plan to develop a Plan of Borings.
- If needed, the elevations, and locations of the borings (in latitude/longitude or state plane northing/easting) will be surveyed in by others. HVJSCTx will include elevation and location information on the boring logs.
- As-built drawings and/or underground drainage locations will be provided to HVJSCTx prior to marking boring locations.
- No full depth reclamation, overlay, widening, or other design alternatives are included. All designs are assumed be full reconstruction.
- The geotechnical boring logs, material test results, PVR estimates, and subgrade stabilization recommendations are assumed to be provided by HVJ South Central Texas – M&J, Inc.
- Two pavement reconstruction design alternatives will be prepared. Any additional alternative designs will require additional fees.
- One draft and one final pavement design report will be prepared.

Fee

Based on the scope of work outlined, a **Lump Sum fee of \$21,951.00** is proposed for the project as presented in the following table.

Scope of Work	Performing Firm	Lump Sum Fee
Geotechnical Investigation	HVJSCTx	\$16,525.00
Pavement Design	HVJA (Specialized Pavement Engineer)	\$5,426.00
TOTAL LUMP SUM		21,951.00

Mr. Mark B. Hill, PE
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A breakdown of the fee is included at the end of this proposal. Should the project configuration change significantly, additional work may be required. HVJSCTx will recommend such additional work when and if it is deemed necessary.

Schedule

We propose to initiate project scheduling and coordination, immediately upon receiving notice-to-proceed. We subsequently expect to complete the test borings approximately one (1) week after receiving notice to proceed. Laboratory testing, evaluation of test results, engineering analyses and report preparation will take approximately four (4) to six (6) weeks after completion of the fieldwork.

Sample Retainage

Soil samples will be retained in our laboratory for 30 days after the geotechnical investigation.

Invoices

Invoices will be submitted at the end of each month based on the time spent on the work and items completed by the last Saturday of each month, or based on an invoice schedule. HVJSCTx understands that payment will be within 10 days of submission of the data report.

If this proposal meets with your approval, please sign and complete the indicated spaces below and forward a copy of the proposal to us. Thank you for this opportunity. We appreciate your business.

Sincerely,

HVJ SOUTH CENTRAL TEXAS – M&J INC.

Golam Kibria

Golam Kibria, Ph.D., PE
Office Manager – San Antonio/Senior Geotechnical Engineer

GK/mm

Agreed to this _____ day of _____, 20_____

By: _____

Title: _____

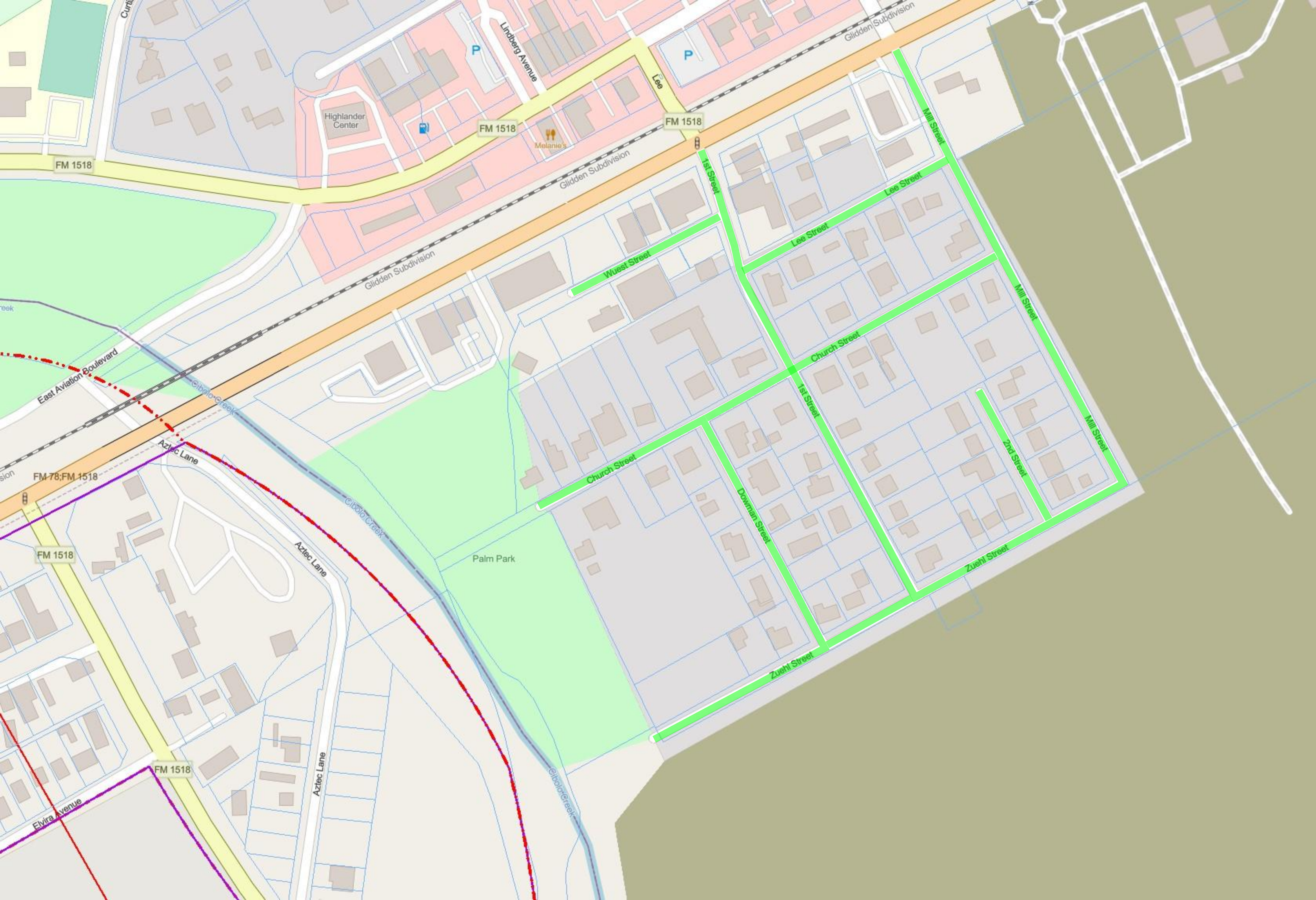
Firm: _____

Date to Start Work: _____

Mr. Mark B. Hill, PE
 Buffalo Valley South
 November 27, 2023
 SG 23 10478

Geotechnical Investigation					
Buffalo Valley South – Street recon/water and sewer replacement project					
HVJ South Central Texas M&J, Inc.					
HVJ SCTx Proposal No. SG 23 10478					
Geotechnical Field Investigation - Drilling and Soil Sampling					
Mobilization/Demobilization	1	@	\$600.00	per mobilization	\$600.00
Drilling & Sampling - Soil Drilling	70	@	\$30.00	per foot	\$2,100.00
Backfilling Soils/Bentonite	70	@	\$6.00	per foot	\$420.00
Driller Standby time	2	@	\$180.00	per hour	\$360.00
Logging	12	hr @	\$85.00	per hour	\$1,020.00
Staking, Utility Clearance, permit Coordination	4	hr @	\$85.00	per	\$340.00
Traffic Control	2	@	\$1,500.00	per day	\$3,000.00
DCP	2	@	\$400.00	each	\$800.00
Support Truck	2	@	\$125.00	each	\$250.00
				Sub Total	\$8,890.00
Laboratory Testing - Standard					
Moisture Content	14	@	\$25.00	each	\$350.00
Atterberg Limits	14	@	\$80.00	each	\$1,120.00
#200 Sieve Analysis	14	@	\$55.00	each	\$770.00
Unconfined Compressive Strength Tests-Soil	2	@	\$65.00	each	\$130.00
California Bearing Ratio (CBR)	1	@	\$550.00	each	\$550.00
Lime-pH Series (Tex-121-E)	1	@	\$175.00	each	\$175.00
Sulfate	4	@	\$70.00	each	\$280.00
				Sub Total	\$3,375.00
Geotechnical Engineering & Reporting					
Project Manager	4	hr @	\$185.00	hr	\$740.00
Professional Engineer III	8	hr @	\$140.00	hr	\$1,120.00
Engineer In Training I	20	hr @	\$115.00	hr	\$2,300.00
Administrative Assistant III	2	hr @	\$50.00	hr	\$100.00
				Sub-Total	\$4,260.00
Pavement Design Services	1	@	\$5,426.00	+ 0% cost	\$5,426.00
				TOTAL	\$21,951.00

Mr. Mark B. Hill, PE
Buffalo Valley South
November 27, 2023
SG 23 10478



Highlander Center

Melanie's

FM 1518

FM 1518

FM 1518

East Aviation Boulevard

Cibola Creek

Aztec Lane

FM 78; FM 1518

FM 1518

Aztec Lane

Palm Park

Church Street

Wuest Street

Church Street

Downman Street

Zuehl Street

Zuehl Street

2nd Street

Mill Street

Mill Street

Lee Street

Lee Street

Lee Street

1st Street

Lee

Linberg Avenue

Glidden Subdivision

Glidden Subdivision

Glidden Subdivision

Glidden Subdivision

Curtis

Creek

slon

Elvira Avenue

CITY COUNCIL MEMORANDUM

City Council Meeting: January 9, 2024

Department: Planning & Community Development

Subject: Ordinance 23-S-32 – Approving a request for a Specific Use Permit to allow a convenience store with gas pumps on approximately 7.8 acres of land, located approximately 51-feet west from the intersection of IH-35 N Access Road and FM 2252, also known as Guadalupe County Property Identification Number 114083 and Comal County Property Identification Number 119021, City of Schertz, Guadalupe and Comal County, Texas. *Final Reading* (B.James/L.Wood D.Marquez)

BACKGROUND

The applicant is requesting a Specific Use Permit to allow a convenience store with gas pumps on approximately 7.8 acres of land, located 51 feet west from the intersection of IH-35 N Access Road and FM 2252, City of Schertz, Texas, Comal and Guadalupe County, Texas. The subject property is undeveloped and zoned General Business District (GB). As per UDC Section 21.5.8, a Specific Use Permit is required for a convenience store with gas pumps in the General Business District (GB) zoning district. More specifically, the applicant is proposing a 10,827 square foot convenience store, gasoline pumps, a diesel canopy, truck parking at the rear, and an additional 6,000 square foot building that may include a coffee shop, personal services, and restaurants.

Five (5) public hearing notices were mailed to surrounding property owners within two hundred (200) feet of the subject property on November 1, 2023 and a public hearing notice was published in the San Antonio Express on November 29, 2023. At the time of this report, staff received one (1) response in favor, four (4) opposed, and zero (0) neutral to the proposed request. Additionally, one (1) Public Hearing Notice sign was placed on the property on November 3, 2023. The Planning and Zoning Commission conducted a public hearing on this item at the November 15, 2023, meeting. City Council conducted a public hearing on this item at the December 19, 2023, meeting.

Unlike a zone change, a Specific Use Permit is not subject to LGC, Local Government Code 211.006(d), thus a 3/4 majority vote is not required by City Council.

GOAL

The proposed Specific Use Permit is to allow a convenience store with gas pumps on approximately 7.8 acres of land, located approximately 51-feet west from the intersection of IH-35 N Access Road and Fm 2252.

COMMUNITY BENEFIT

It is the City's desire to promote safe, orderly, efficient development and ensure compliance with the City's vision of future growth.

SUMMARY OF RECOMMENDED ACTION

A Specific Use Permit allows for discretionary City Council approval of uses with unique or widely varying operating characteristics or unusual site development features, subject to the terms and conditions set forth in this UDC. Approval of a Specific Use Permit authorizes a property owner to submit subsequent development applications consistent with the approved Specific Use Permit.

The applicant is proposing to construct a 10,827 square foot convenience store, gasoline pumps, a diesel canopy, truck parking at the rear, and an additional 6,000 square foot building. Per the conceptual site plan, both proposed access points will be along IH-35 N Access Road, which will be reviewed by the Texas Department of Transportation and the City of Schertz Engineering Department.

The subject property is zoned General Business District (GB), and is undeveloped. Directly to the north of the property is the IH-35 N Access Road right-of-way and to the east, the property is zoned General Business District (GB) and is undeveloped. The property to the west is also zoned General Business District (GB) and is currently used as storage for Conex boxes. The property immediately to the south is zoned General Business District (GB) and Single-Family Residential/ Agricultural District (R-A) and is undeveloped/vacant.

UDC Section 21.5.11.D Criteria for Approval

1. The proposed use at the specified location is consistent with the policies embodied in the adopted Comprehensive Land Plan.

The subject property is designated as Highway Commercial and Single Family Residential. The Highway Commercial land use designation is intended for regional scale retail and commercial uses located at major highway intersections that can take advantage of the highway frontage. The subject property's location along IH-35 N Access Road is ideal for taking advantage of the highway frontage. Single Family Residential land use designation is intended for a mix of residential with some commercial uses that support the daily activities of development.

2. The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations.

General Business District (GB) is intended to provide suitable areas for the development of non-residential uses that may include retail and service establishments that are generally oriented toward serving the overall needs of the community and are usually located along principal transportation corridors. The proposed developments' location along IH-35 N Access Road allows for the development to take advantage of IH-35 traffic and surrounding neighborhoods for business.

3. The proposed use is compatible with and preserves the character and integrity of adjacent developments and neighborhoods, and includes improvements either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as safety, traffic, noise, odors, visual nuisances, drainage or other similar adverse effects to adjacent development and neighborhoods.

The proposed development is surrounded by adjacent General Business District zoning and is compatible with the existing development. The proposed convenience store with gas pumps will be required to meet all current City of Schertz site development standards stipulated in Unified Development Code (UDC) Article 9. Article 9 is in place to ensure adverse effects of development are minimized and mitigated on neighboring properties.

4. The proposed use does not generate pedestrian and vehicular traffic which will be hazardous or conflict with the existing and anticipated traffic in the neighborhood.

The proposed development is proposing two points of access along IH-35 N Access Road which is a one way road. All proposed access points will be reviewed by the City of Schertz Engineering

department and the Texas Department of Transportation.

5. The proposed use incorporates roadway adjustments, traffic control devices or mechanisms, and access restrictions to control traffic flow or divert traffic as may be needed to reduce or eliminate development generated traffic on neighborhood streets.

Access to the subject property will be along IH-35 N Access Road. The proposed access points will be reviewed by the City of Schertz Engineering department and the Texas Department of Transportation.

6. The proposed use incorporates features to minimize adverse effects, including visual impacts, of the proposed use on adjacent properties.

The proposed development will have to meet all site development requirements in Article 9 of the Unified Development Code. The adjacent properties are zoned General Business District and are not currently being used for single-family residential. As a result, no additional screening requirements for residential use will be required.

7. The proposed use meets the standards for the zoning district, or to the extent variations from such standards have been requested, that such variations are necessary to render the use compatible with adjoining development and the neighborhood.

The proposed development will have to meet all dimensional and design requirements of the General Business District as mentioned in UDC Section 21.5.7. No variations to the requirements have been requested.

8. The proposed [use] promotes the health, safety or general welfare of the City and the safe, orderly, efficient and healthful development of the City. As part of promoting health, safety and welfare, the City should encourage development compatible with surrounding uses utilizing standards and transitional uses to alleviate negative impacts.

As part of promoting health, safety and welfare, the City should encourage development compatible with surrounding uses utilizing standards and transitional uses to alleviate negative impact. Given the existing General Business District zoning of the adjacent surrounding properties, the location of the subject property on IH-35 N Access Road, and all access to the subject property being from IH-35 N Access Road, the proposed convenience store with gas pumps would not pose an adverse impact on adjacent properties.

9. No application made under these provisions will receive final approval until all back taxed owed to the City have been paid in full.

This does not impact the first reading from Council.

10. Other criteria which, at the discretion of the Planning and Zoning Commission and City Council deemed relevant and important in the consideration of the Specific Use Permit.

Staff has ensured all UDC requirements have been met for the Specific Use Permit, and at this time have not received any special considerations from the Planning and Zoning Commission or the City Council.

RECOMMENDATION

The Planning and Zoning Commission conducted a public hearing on November 15, 2023, and offered a recommendation of approval with the condition that a building permit is approved within two years of approval of the Specific Use Permit Ordinance, by a 6-0 vote.

City Council conducted a public hearing on December 19, 2023, and made a motion to approve with the condition that a building permit is approved within two years of the adoption of the Specific Use Permit

with a 7-0 vote.

Staff recommends approval of the Specific Use Permit to allow a convenience store with gasoline pumps at the subject property conditioned upon the following:

1. A building permit is approved within two (2) years of the adoption of the SUP Ordinance in accordance with Unified Development Code Article 5, Section 21.5.11.F Expiration of Specific Use Permit.

Attachments

Ord 23-S-32 With Attachments

Aerial Exhibit

Public Hearing Notice Map

Public Hearing Responses

Conceptual Site Plan Exhibit

City Council Presentation Slides

Applicants Proposed Site Plan and Presentation

ORDINANCE NO. 23-S-32

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS TO APPROVE A SPECIFIC USE PERMIT TO ALLOW FOR A CONVENIENCE STORE WITH GAS PUMPS ON APPROXIMATELY 7.8 ACRES OF LAND, LOCATED AT APPROXIMATELY 51-FEET WEST FROM THE INTERSECTOPM OF IH-35 N ACCESS ROAD AND FM 2252, SCHERTZ, GUADALUPE AND COMAL COUNTY, TEXAS, ALSO KNOWN AS GUADALUPE COUNTY PROPERTY IDENTIFICATION NUMBER 114083 AND COMAL COUNTY PROPERTY IDENTIFICATION NUMBER 119021.

WHEREAS, an application for a Specific Use Permit to allow a convenience store with gas pumps on approximately 7.8 acres of land, located approximately 51-feet west from the intersection of IH-35 N Access Road and FM 2252, also known as Guadalupe County Property Identification Number 114083 and Comal County Property Identification number 119021, more specifically described in the Exhibit A and Exhibit B attached (herein, the “Property”) has been filed with the City; and

WHEREAS, the City’s Unified Development Code Section 21.5.11. D. provides for certain criteria to be considered by the Planning and Zoning Commission in making recommendations to City Council and by City Council in considering final action on a requested specific use permit (the “Criteria”); and

WHEREAS, on November 15, 2023, the Planning and Zoning Commission conducted a public hearing and, after considering the Criteria, made a recommendation to City Council to approve the Specific Use Permit for a convenience store with gas pumps; and

WHEREAS, on December 19, 2023, the City Council conducted a public hearing and after considering the Criteria and recommendation by the Planning and Zoning Commission, determined that the requested Specific Use Permit be approved as provided for herein.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS THAT:

Section 1. A Specific Use Permit for Guadalupe County Property Identification Number 114083 and Comal County Property Identification Number 119021, more particularly described in the attached Exhibit A and Exhibit B, is hereby approved to allow a convenience store with gas pumps conditioned upon the following occurring:

- a) A building permit is approved within two (2) years of the adoption of the SUP Ordinance in accordance with Unified Development Code Article 5, Section 21.5.11.F Expiration of Specific Use Permit.

Section 2. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

Section 3. All ordinances and codes, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.

Section 4. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City hereby declares that this Ordinance would have been enacted without such invalid provision.

Section 6. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

Section 7. This Ordinance shall be effective upon the date of final adoption hereof and any publication required by law.

Section 8. This Ordinance shall be cumulative of all other ordinances of the City of Schertz, and this Ordinance shall not operate to repeal or affect any other ordinances of the City of Schertz except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which event such conflicting provisions, if any, are hereby repealed.

PASSED ON FIRST READING, the ____ day of _____ 2023.

PASSED, APPROVED and ADOPTED ON SECOND READING, the ____ day of _____, 2024.

CITY OF SCHERTZ, TEXAS

Ralph Gutierrez, Mayor

ATTEST:

Sheila Edmondson, City Secretary

(city seal)

Exhibit "A"
Property Description

Exhibit "A" : Property Description - Metes and Bounds

METES AND BOUNDS
7.744 Acre Tract
Surveyed by Total Geo Data Surveying LLC

Being a 7.744 Acre (337,329 Square Foot) Tract, in the Robert Martin & John Falls Walker Survey No. 113, Abstract 414, Comal County and Abstract 244, Guadalupe County, Texas, described as 7.748 acres recorded in Document No. 201606011073 of the Official Public Records (O.P.R.), of Comal County and also recorded in Volume 2006 Page 133 O.P.R. of Guadalupe County, Texas, said 7.744 acre tract being more particularly described as follows, with all bearings being referenced to the North American Datum of 1983, Texas State Plane Coordinate System, South Central Zone, based on a VRS RTKNet solution:

BEGINNING at a found ½" rebar with cap stamped Ford Engineering on the south right of way (R.O.W.) line of Interstate Highway 35. (R.O.W. width varies) at the northwest corner of a so called believed 35.73 Acre Tract recorded in Document No. 202006019300 O.P.R. Comal County and recorded in Document No. 202099012670 O.P.R. Guadalupe County, being the northeast corner of the tract herein described;

THENCE, leaving said R.O.W. line and along the common line between said tracts, South 26° 39' 14" East, a distance of 749.56 feet (South 26° 20' 02" East, 750.00 feet record) to a found ½" rebar with cap stamped Ford Engineering at an interior corner of said 35.73 acres being the southeast corner of the tract herein described;

THENCE, continuing along said common line, South 62° 51' 03" West, a distance of 449.98 feet (South 63° 08' 00" West, 450.00 feet record) to a found 3 ½" metal fence post at the southeast corner of a so called 4.304 Acre Tract recorded in Document No. 200406007163 O.P.R. Comal County and recorded in Volume 1972, Page 62 O.P.R. Guadalupe County, being the southwest corner of the tract herein described;

THENCE, along the common line with said 4.304 acres, North 26° 39' 19" West, a distance of 749.76 feet (North 26° 20' 02" West, 750.00 feet record) to a set ½" rebar with cap stamped TOTAL GEO DATA 6042 on said south IH 35 R.O.W. line at the northeast corner of said 4.304 acres, being the northwest corner of the tract herein described;

THENCE, along the said R.O.W. line, North 62° 52' 32" East, at a distance of 129.21 feet passing a found Texas Department of Transportation Type I concrete monument, at a distance of 149.88 feet passing a found ½" rebar, continuing for a total distance of 450.00 feet (North 63° 08' 00" East, 450.00 feet record), returning to the POINT OF BEGINNING and containing 7.744 Acres (337,329 square feet) of land more or less.

This survey was performed on the ground by persons working under my supervision and completed on August 24, 2023. A survey drawing accompanies this description.

 10/11/23

John E. DeHan, R.P.L.S.
Registered Professional Land Surveyor
Texas Registration No. 6042
Firm No. 10193904

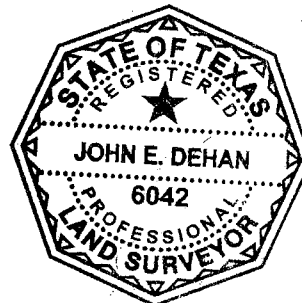
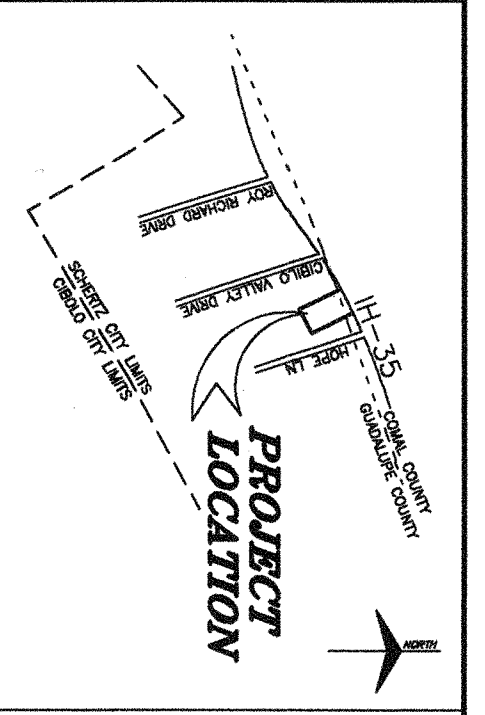


Exhibit "B"
Specific Use Permit Exhibit

Exhibit "B" : Specific Use Permit Exhibit



SPECIFIC USE EXHIBIT

DEVELOPER:
BLACK EYE PROPERTIES
24810 TRULL BROOK
SPRING, TX 77389
(832) 213-6999

ENGINEER:
MIDSTREAM AND TERMINAL SERVICES, L.L.C.
(DBA-MTS ENGINEERING AND DESIGN)
9950 WESTPARK DR, SUITE 426
HOUSTON, TX 77603

SURVEYOR:
TOTAL GEO DATA SURVEYING LLC
FIRM# 10193904
18838 FM 2252 #1802
GARDEN RIDGE, TX 78266
(210) 455-0707

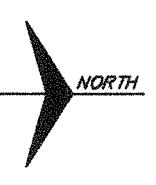
- 1 TRAWICK & NANCY A WOMACK
1413 SETTLEMENT WAY
NEW BRAUNFELS, TX 78132
GCAD PROPERTY ID: 114083
CCAD PROPERTY ID: 119021
ZONE: (GB) GENERAL BUSINESS
- 2 DIANA DENSBERGER OTT ET AL
P O BOX 18155
CORPUS CHRISTI, TX 78480
GCAD PROPERTY ID: 68319
CCAD PROPERTY ID: 78058
ZONE: (GB) GENERAL BUSINESS
- 3 RONALDO & CLARE M CARRILLO
P O BOX 690843
SAN ANTONIO, TX 78269
GCAD PROPERTY ID: 114080
CCAD PROPERTY ID: 114082
CCAD PROPERTY ID: 116266
ZONE: (GB) GENERAL BUSINESS

- NOTES
1. BASIS OF BEARINGS: NORTH AMERICAN DATUM OF 1983, TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, BASED ON THE RICHARD SOLUTION.
 2. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT THEREFORE OTHER MATTERS OF RECORD DO EFFECT THIS PROJECT.
 3. SUBJECT PROPERTY APPEARS TO BE SITUATED WITHIN THE FLOOD ZONE AREA "X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) AS INDICATED ON THE FOLLOWING FLOOD INSURANCE RATE MAP-4818702010, EFFECTIVE DATE: NOVEMBER 2, 2007, BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR GUADALUPE COUNTY, TEXAS. (SURVEYOR DOES NOT GUARANTEE OR WARRANT THE ACCURACY OR CORRECTNESS OF THE F.E.M.A. MAPS.)
 4. THIS EXHIBIT IS NOT A BOUNDARY SURVEY.

EXISTING ZONING: GENERAL BUSINESS DISTRICT (GB) - 7.744 AC.
PROPOSED ZONING: GENERAL BUSINESS DISTRICT (GB) - 7.744 AC.

PREPARED: 08/30/2023
REVISED: 10/12/2023
REVISED: 10/25/2023
IH 35
SCHERTZ
TEXAS

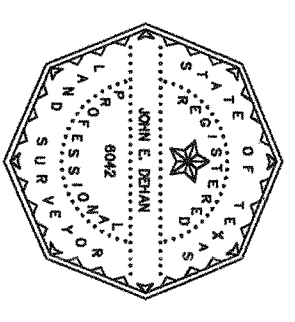
JOB NO.: 2023-074
ZONING EXHIBIT FOR:
DESIGNED REALTY GROUP



SCALE: 1" = 100'

LEGEND

- PR - OPEN RECORDS
- OPR - OPERA RECORDS
- M.P.R. - MAP & PLAT RECORDS
- P.O.B. - POINT OF BEGINNING
- FOC - FIBER OPTIC CABLE
- - FOUND 1/2" REBAR
- - FOUND 1/2" REBAR W/ CAP
- - SET 1/2" REBAR W/ CAP
- - STAMPED TOTAL GEO DATA
- - STAMPED UNLESS OTHERWISE NOTED
- - - ZONING AND BOUNDARY LINE



I HEREBY CERTIFY THAT THIS SURVEY WAS PERFORMED ON THE GROUND BY PERSONS WORKING UNDER MY SUPERVISION.
FIELD WORK COMPLETED ON 07/19/23

DATE 10/25/2023
JOHN E. BEHM
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 6042
TOTAL GEO DATA
SURVEYING, LLC.

FIRM # 10189004
18838 FM 2252 #1802
GARDEN RIDGE, TX, 78266
JOHN.BEHM@TOTALGEO.COM

OWNER:
TRAWICK & NANCY A WOMACK
1413 SETTLEMENT WAY
NEW BRAUNFELS, TX 78132
(210) 240-2077

APPLICANT:
DESIGNED REALTY GROUP
25419 FM 2100
HUFFMAN, TX 77336
(210) 324-1300

GUADALUPE COUNTY
PROPERTY ID:
114083
COMAL COUNTY
PROPERTY ID:
119021
ZONING EXHIBIT
PROPERTY IS GENERALLY
LOCATED ON IH-35 TO
THE NORTHEAST OF OF
CIBOLO VALLEY DRIVE,
SCHERTZ, COMAL &
GUADALUPE COUNTIES,
TEXAS.
PREPARED:
OCTOBER 25TH, 2023

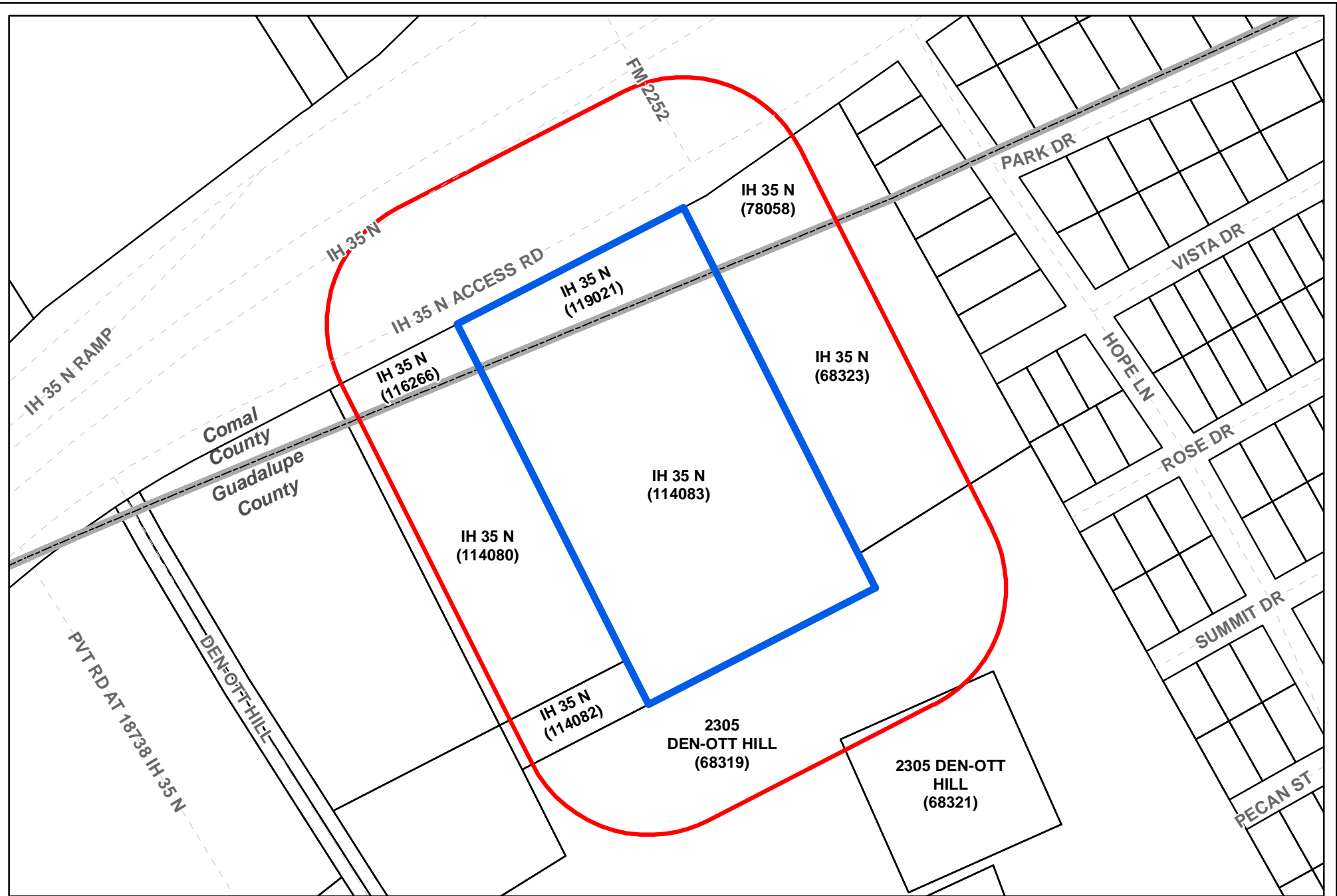


Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



DEVELOPMENT AT SCHERTZ
IH 35 N
(PLSPU20230153)

<all other values>	<all other values>	Planned Secondary Arterial	Commercial Collector B	1"	8"	20"	Schertz Gravity	Hydrant	CCMA Treatment Plant
Highways	Freeway	Secondary Rural Arterial	Planned Commercial Collector B	2"	10"	24"	Schertz Pressure	Water Storage Facility	200' Buffer
Major Roads	Principal Arterial	Planned Secondary Rural Arterial	Commercial Collector A	3"	12"	30"	Neighboring Gravity	Manholes	Schertz Municipal Boundary
Minor Roads	Planned Principal Arterial	Residential Collector	Planned Commercial Collector A	4"	16"	36"	Private Pressure	County Boundaries	Private Lift Station
Other Cities	Secondary Arterial	Planned Residential Collector	6"	18"	Schertz Treatment Plant	CCMA Lift Station	0 50 100 200 300 400 Feet	1 Inch = 200 Feet	



Reply Form

I am: in favor of opposed to neutral to the request for **PLSPU20230153**

COMMENTS: looking forward to seeing growth in Schertz

NAME: Trawick Womack SIGNATURE Trawick Womack
(PLEASE PRINT)

STREET ADDRESS: 1413 Settlement Way New Braunfels, TX 78132

DATE: 11-4-2023

NOTICE OF PUBLIC HEARING

November 01, 2023

To whom it may concern,

The City of Schertz Planning and Zoning Commission will conduct a public hearing on **Wednesday, November 15th, 2023 at 6:00 p.m.** located at the Municipal Complex Council Chambers, 1400 Schertz Parkway, Building #4, Schertz, Texas to consider and act upon the following item:

PLSPU20230153- Hold a public hearing and make a recommendation on a Specific Use Permit to allow a convenience store with gas pumps on approximately 7.8 acres of land, located approximately 51-feet west from the intersection of IH-35 N Access Road and FM 2252, also known as Guadalupe County Property Identification Number 114083 and Comal County Property Identification Number 119021, City of Schertz, Comal and Guadalupe County, Texas.

Because you own property within 200 feet of the subject property, the Planning and Zoning Commission would like to hear how you feel about this request and invites you to attend the public hearing. If you would like to express how you feel, please complete the bottom portion of this letter and return before the public hearing date by mail or personal delivery to Daisy Marquez, Planner 1400 Schertz Parkway, Bldg. 1, Schertz, Texas 78154, or by e-mail planning@schertz.com. If you have any questions, please feel free to call Daisy Marquez, Planner directly at (210) 619-1782.

Sincerely,

Daisy Marquez
Planner

Reply Form

I am: in favor of opposed to neutral to the request for **PLSPU20230153**

COMMENTS: Opposed in reference to Prop. ID 68319: (28.358 acres)

NAME: DIANA OTT-Densberger et al SIGNATURE Diana Ott Densberger
(PLEASE PRINT)

STREET ADDRESS: Po Box 18155 Corpus Christi, Texas 78480

DATE: November 6, 2023

NOTICE OF PUBLIC HEARING

November 01, 2023

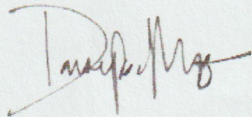
To whom it may concern,

The City of Schertz Planning and Zoning Commission will conduct a public hearing on **Wednesday, November 15th, 2023 at 6:00 p.m.** located at the Municipal Complex Council Chambers, 1400 Schertz Parkway, Building #4, Schertz, Texas to consider and act upon the following item:

PLSPU20230153- Hold a public hearing and make a recommendation on a Specific Use Permit to allow a convenience store with gas pumps on approximately 7.8 acres of land, located approximately 51-feet west from the intersection of IH-35 N Access Road and FM 2252, also known as Guadalupe County Property Identification Number 114083 and Comal County Property Identification Number 119021, City of Schertz, Comal and Guadalupe County, Texas.

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Sincerely,



Daisy Marquez
Planner

Reply Form

I am: in favor of opposed to neutral to the request for **PLSPU20230153**

COMMENTS: Opposed in reference to Prop ID 68321: (2.0 acres)

NAME: DIANA OTT-Densberger, et al SIGNATURE Diana Ott-Densberger
(PLEASE PRINT)

STREET ADDRESS: PO Box 18155 Corpus Christi, Texas 78480

DATE: November 6, 2023

NOTICE OF PUBLIC HEARING

November 01, 2023

To whom it may concern,

The City of Schertz Planning and Zoning Commission will conduct a public hearing on Wednesday, November 15th, 2023 at 6:00 p.m. located at the Municipal Complex Council Chambers, 1400 Schertz Parkway, Building #4, Schertz, Texas to consider and act upon the following item:

PLSPU20230153- Hold a public hearing and make a recommendation on a Specific Use Permit to allow a convenience store with gas pumps on approximately 7.8 acres of land, located approximately 51-feet west from the intersection of IH-35 N Access Road and FM 2252, also known as Guadalupe County Property Identification Number 114083 and Comal County Property Identification Number 119021, City of Schertz, Comal and Guadalupe County, Texas.

Because you own property within 200 feet of the subject property, the Planning and Zoning Commission would like to hear how you feel about this request and invites you to attend the public hearing. If you would like to express how you feel, please complete the bottom portion of this letter and return before the public hearing date by mail or personal delivery to Daisy Marquez, Planner 1400 Schertz Parkway, Bldg. 1, Schertz, Texas 78154, or by e-mail planning@schertz.com. If you have any questions, please feel free to call Daisy Marquez, Planner directly at (210) 619-1782.

Sincerely,

[Handwritten signature of Daisy Marquez]

Daisy Marquez
Planner

Reply Form

I am: in favor of [] opposed to [X] neutral to [] the request for PLSPU20230153

COMMENTS: Opposed in reference to Prop ID 68323: (4.584 Acres)

NAME: DIANA OTI-Densberger, et al SIGNATURE [Handwritten signature] (PLEASE PRINT)

STREET ADDRESS: PO Box 18155 Corpus Christi, Texas 78480

DATE: November 6, 2023

NOTICE OF PUBLIC HEARING

November 01, 2023

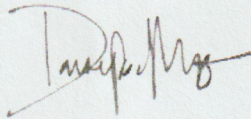
To whom it may concern,

The City of Schertz Planning and Zoning Commission will conduct a public hearing on **Wednesday, November 15th, 2023** at **6:00 p.m.** located at the Municipal Complex Council Chambers, 1400 Schertz Parkway, Building #4, Schertz, Texas to consider and act upon the following item:

PLSPU20230153- Hold a public hearing and make a recommendation on a Specific Use Permit to allow a convenience store with gas pumps on approximately 7.8 acres of land, located approximately 51-feet west from the intersection of IH-35 N Access Road and FM 2252, also known as Guadalupe County Property Identification Number 114083 and Comal County Property Identification Number 119021, City of Schertz, Comal and Guadalupe County, Texas.

Because you own property within 200 feet of the subject property, the Planning and Zoning Commission would like to hear how you feel about this request and invites you to attend the public hearing. If you would like to express how you feel, please complete the bottom portion of this letter and return before the public hearing date by mail or personal delivery to Daisy Marquez, Planner 1400 Schertz Parkway, Bldg. 1, Schertz, Texas 78154, or by e-mail planning@schertz.com. If you have any questions, please feel free to call Daisy Marquez, Planner directly at (210) 619-1782.

Sincerely,



Daisy Marquez
Planner

Reply Form

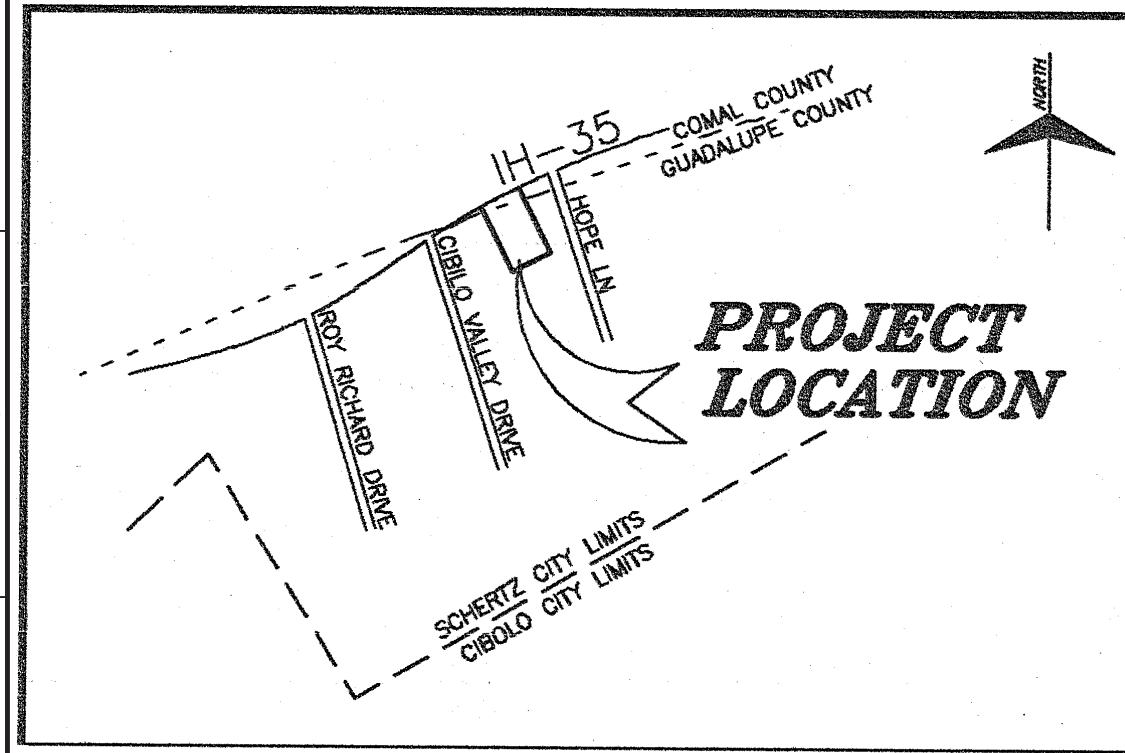
I am: in favor of opposed to neutral to the request for **PLSPU20230153**

COMMENTS: Opposed in reference to Prop ID 78058 (Comal) R126750 (Guadalupe) (0.538 Acres)

NAME: Diana Ott-Densberger, et al SIGNATURE Diana Ott-Densberger
(PLEASE PRINT)

STREET ADDRESS: Po Box 18155 Corpus Christi, Texas 78480

DATE: November 6, 2023



LOCATION MAP
(NOT TO SCALE)

SITE SUMMARY	
PROPOSED USE:	C.STORE, SUBWAY, HAIR SHOP, PIZZA SHOP, COFFEE SHOP WITH GAS STATION
ZONING DISTRICT:	(GB) GENERAL BUSINESS
LOT AREA:	336722.88 SFT / 7.730 ACRES
EXISTING IMPERVIOUS COVER:	0
PROPOSED IMPERVIOUS COVER:	287,553.74 SFT / 6.601317 ACRES
BUILDING AREA:	16,827 SFT / 0.386 ACRES
BUILDING HEIGHT:	36'-6"

WHEEL STOP NOTE:

WHEEL STOPS ARE REQUIRED FOR ALL AREAS OF HEAD-IN PARKING ADJACENT TO LANDSCAPED AREAS. WHEEL STOPS WILL BE PLACED SO THAT THE OVERHANG OF VEHICLES IS CONTAINED TOTALLY WITHIN THE PARKING SPACE.

LIGHT NOTE:

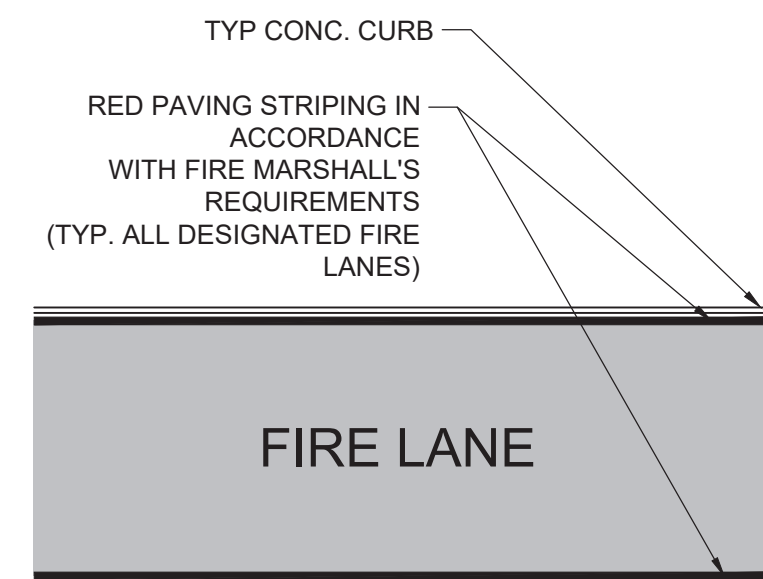
THIS SITE WILL COMPLY WITH ALL LIGHTING AND GLARE STANDERS ACCORDING TO THE UNIFIED DEVELOPMENT CODE AT THE TIME OF BUILDING PERMIT.

SIGNAGE NOTE:

ALL THE SIGNAGE WILL COMPLY WITH UNIFIED DEVELOPMENT CODE AT THE TIME OF BUILDING PERMIT.

FLOOD INFORMATION:

ACCORDING TO FLOOD INSURANCE RATE MAP, PANEL 48187C0210F, DATES: 11/02/2007, IS LOCATED IN ZONE UNSHADED X AND IS NOT WITHIN THE 100-YEAR FLOODPLAIN.



TYPICAL FIRE LANE DETAIL
NTS

(OPTIONAL AT FIRE MARSHALLS DISCRETION)

PARKING SYNOPSIS

OCCUPANCY TYPE	PARKING COUNT	REQUIRED	PROVIDED
C-STORE	10,827 / 250	43.30 (44)	82
SUBWAY	1,500 / 250	6	
HAIR SHOP	1,200 / 250	4.8(5)	
PIZZA SHOP	1,800 / 250	7.2(8)	
COFFEE SHOP	1,500 / 250	6	
TOTAL		69	

DWG #	REFERENCE DRAWINGS	REV	DATE	DESCRIPTION	BY:	CHK	APR	DRAWN BY:	CHECKED BY:	ENGINEER:	DATE:	MTS PROJECT NO.:
		0	10/25/2023	ISSUED FOR PERMIT	SK	MM	GM	SK	MM	GM	10/25/2023	29929
								SCALE:				DRAWING NUMBER: REV.
								1"=50'-0"				C001 0

1 CONCEPTUAL SITE PLAN
C001 SCALE: 1"=50'-0"

SO CALLED BELIEVED 35.73 ACRES
DOC. 202006019300, O.P.R.
COMAL COUNTY
DOC. No. 202099012670, O.P.R.
GUADALUPE COUNTY

2 DIANA DENBERGER OTT ET AL
P. O. BOX 18155
CORPUS CHRISTI, TX 78480
GCAD PROPERTY ID:68319
GCAD PROPERTY ID:68323
CCAD PROPERTY ID:78058

ZONE: (GB) GENERAL BUSINESS

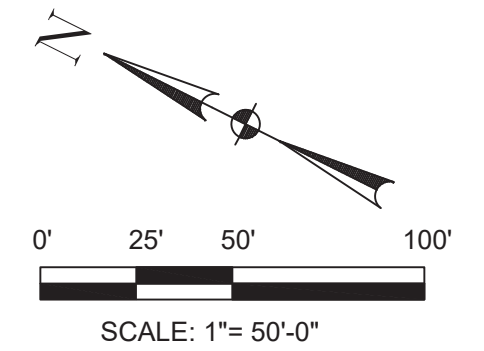
FIELD MEASURE S 26°39'14"E 749.56'
RECORDED S 26°20'02"E 750.00'

FIELD MEASURE N 26°39'19"W 749.76'
RECORDED N 26°20'02"W 750.00'

3 RONALDO & CLARE M CARRILLO
P. O. BOX 690843
SAN ANTONIO, TX 78269
GCAD PROPERTY ID:114080
GCAD PROPERTY ID:114082
CCAD PROPERTY ID:116266

ZONE: (GB) GENERAL BUSINESS

SO CALLED 4.304 ACRES
DOC. No. 200406007163, O.P.R.
COMAL COUNTY
VOL. 1972, PG. 62, O.P.R.
GUADALUPE COUNTY



DEVELOPER:
BLACK EYE PROPERTIES
24810 TRULL BROOK
SPRING, TX 77389
(832) 213-6999

ENGINEER:
MIDSTREAM AND TERMINAL SERVICES LLC.
(DBA-MTS ENGINEERING AND DESIGN)
9950 WESTPARK DR. SUITE 426
HOUSTON, TX 77603

SURVEYOR:
TOTAL GEO DATA SURVEYING LLC
FIRM # 10193904
18838 FM 2252 # 1802
GARDEN RIDGE, TX 78266
(210) 455-0707

1 TRAWICK & NANCY A WOMACK
1413 SETTLEMENT WAY
NEW BRAUNFELS, TX 78132
GCAD PROPERTY ID:114083
CCAD PROPERTY ID:119021
ZONE: (GB) GENERAL BUSINESS

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CCAD PROPERTY ID:78058

2 DIANA DENBERGER OTT ET AL
P. O. BOX 18155
CORPUS CHRISTI, TX 78480
GCAD PROPERTY ID:68319
GCAD PROPERTY ID:68323
CCAD PROPERTY ID:78058

ZONE: (GB) GENERAL BUSINESS

3 RONALDO & CLARE M CARRILLO
P. O. BOX 690843
SAN ANTONIO, TX 78269
GCAD PROPERTY ID:114080
GCAD PROPERTY ID:114082
CCAD PROPERTY ID:116266

SO CALLED BELIEVED 35.73 ACRES
DOC. No. 202099012670, O.P.R.
GUADALUPE COUNTY

ZONE: (GB) GENERAL BUSINESS

LEGEND

- D.R. - DEED RECORD
- O.P.R. - OFFICIAL PUBLIC RECORD
- M.P.R. - MAP & PLAT RECORDS
- M.P.R. - MAP & PLAT RECORDS
- P.O.B. - POINT OF BEGINNING
- FOC - FIBER OPTIC CABLE
- - FOUND 1/2" REBAR UNLESS OTHERWISE NOTED
- - SET 1/2" REBAR W/ CAP STAMPED "TOTAL GEO DATA 6042"
- () RECORD CALLS
- ☆ LIGHT STANDARD
- ◇ CHAINLINK FENCE
- x- BARBED WIRE FENCE
- ⊕ POWER POLE
- ⊕ OVERHEAD UTILITY SIGN
- ⊕ FIRE HYDRANT
- ⊕ WATER VALVE
- ⊕ TXDOT TYPE I MONUMENT
- ⊕ WATER METER

LEGAL DESCRIPTION:

BEING A BOUNDARY AND TOPOGRAPHIC SURVEY OF 7.744 (337,329 SFT) ACRES IN THE ROBERT MARTIN & JOHN FALLS WALKER SURVEY NO. 113, ABSTRACT 414, COMAL COUNTY, TEXAS AND ABSTRACT 244, GUADALUPE COUNTY, TEXAS, AS RECORDED IN DOCUMENT NO. 201606011073, O.P.R. OF COMAL COUNTY, TEXAS AND VOLUME 2006, PAGE 133, O.P.R., GUADALUPE COUNTY, TEXAS.

DEVELOPMENT ON SCHERTZ,
I-35 AT FM-2252,
SCHERTZ, TEXAS



MTS ENGINEERING & DESIGN
9950 WESTPARK DR. SUITE #426
HOUSTON TEXAS 77063
(281) 404-4438 (281) 253-4849
FIRM NO. 18844

LANDSCAPE TABULATIONS FOR SCHERTZ, TX

Site: 337,329 sf
 Limits of Construction: 337,329 sf
LANDSCAPE REQUIRED

- A Minimum of 20% of the total land area of any proposed non residential development shall be landscaped.
- Properties shall provide 9 trees per acre of lot area.

REQUIRED	PROVIDED
67,465 sf (20%) (of limited of construction)	
69 trees	70 trees

PARKING AREA

- Parking lots shall be screened from public view and adjacent properties.
- A minimum of 10% of the gross parking area shall be devoted to living landscaping which includes grass, groundcover's, plants, shrubs and trees.
- There shall be a minimum of 1 shade tree planted for each 400 sf of required interior landscape area.

REQUIRED	PROVIDED
Parking Lot Area: 47,550 sf (46 spaces)	
Parking Lot Screening 4,755 sf (10%)	Parking Lot Screening
11 trees	20 trees

PERIMETER LANDSCAPE AREA

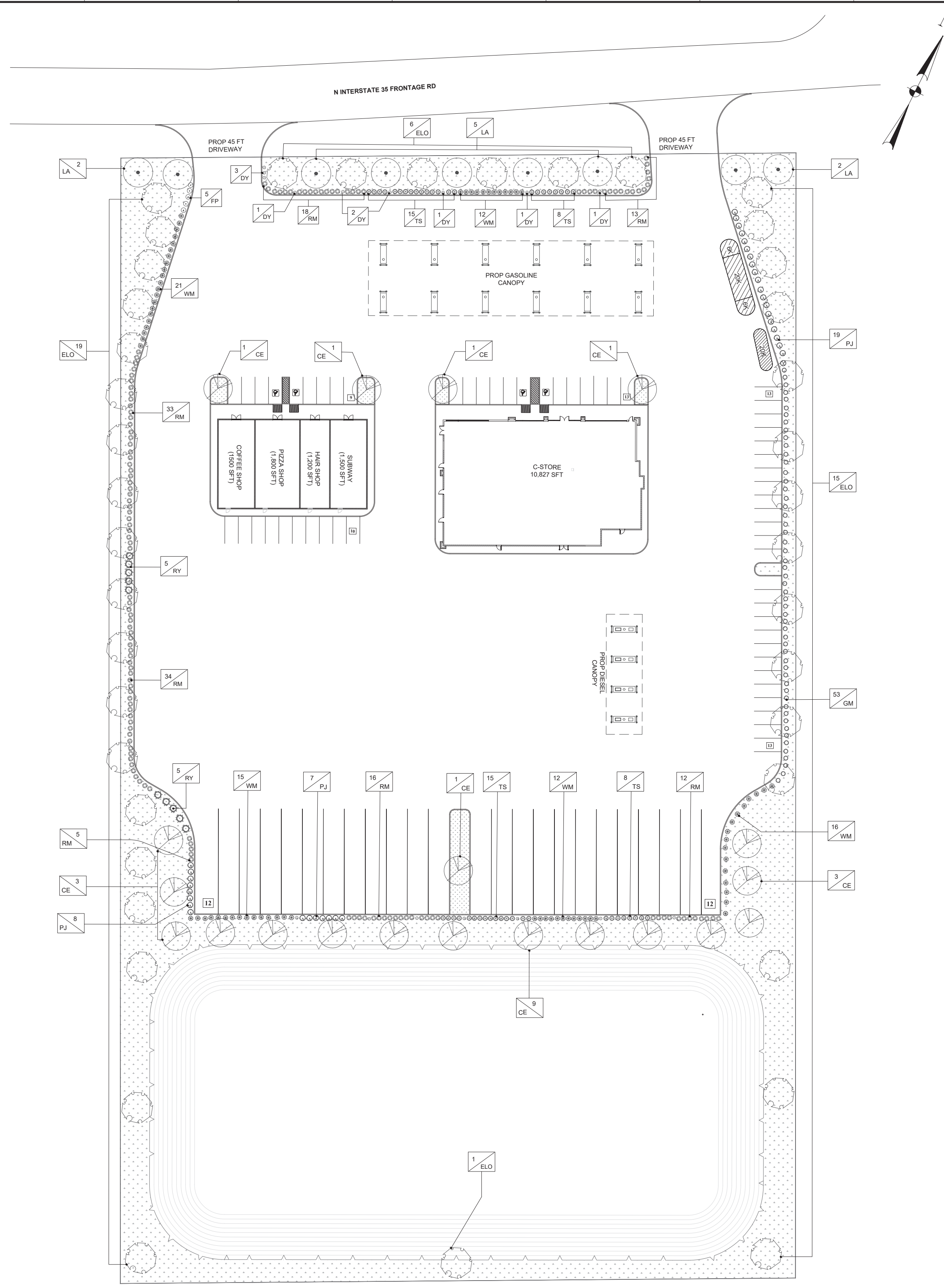
- All parking lots and vehicular use areas shall be screened from all abutting properties with a wall, fence, hedge berm or other durable landscape barrier. (30" ht)
- A 20' buffer shall be provided along N INTERSTATE 35 FRONTAGE RD.
- Street trees shall be provided 1 per 50 l.f.

REQUIRED	PROVIDED
Street: 450 l.f.	
hedge	hedge
20' buffer	20' buffer
9 trees	17 trees
West: 20' buffer	20' buffer
East: 9' planting strip	9' planting strip

RESIDENTIAL ADJACENCY

- Adjacent to residential, an 8' masonry fence shall be provided.
- A 20' buffer shall be provided adjacent to residential with 1 tree per 30 l.f. and 10 shrubs per 50 l.f.

REQUIRED	PROVIDED
20' buffer	20' buffer
12 trees	33 trees
76 shrubs	123 shrubs



1 LANDSCAPE SITE PLAN
 SCALE: 1"=50'-0"

GENERAL LAWN NOTES

- CONTRACTOR SHALL COORDINATE OPERATIONS AND AVAILABILITY OF EXISTING TOPSOIL WITH ON-SITE CONSTRUCTION MANAGER.
- LAWN AREAS SHALL BE LEFT 1" BELOW FINAL FINISHED GRADE PRIOR TO TOPSOIL INSTALLATION.
- CONTRACTOR TO FIND GRADE AREAS TO ACHIEVE FINAL CONTOURS AS SHOWN ON CIVIL DRAWINGS. POSITIVE DRAINAGE SHALL BE PROVIDED AWAY FROM ALL BUILDINGS. ROUNDING AT TOP AND BOTTOM OF SLOPES SHALL BE PROVIDED AND IN OTHER BREAKS IN GRADE. CORRECT AREAS WHERE STANDING WATER MAY OCCUR.
- ALL LAWN AREAS SHALL BE FINE GRADED, IRRIGATION TRENCHES COMPLETELY SETTLED AND FINISH GRADE APPROVED BY THE OWNER'S CONSTRUCTION MANAGER OR LANDSCAPE ARCHITECT PRIOR TO LAWN INSTALLATION.
- CONTRACTOR SHALL REMOVE ALL ROCKS 3/4" IN DIAMETER AND LARGER REMOVE ALL DIRT CLOUDS, STICKS, CONCRETE SPOILS, TRASH ETC PRIOR TO PLACING TOPSOIL AND GRASS INSTALLATION.
- CONTRACTOR SHALL MAINTAIN ALL LAWN AREAS UNTIL FINAL ACCEPTANCE.
- CONTRACTOR SHALL GUARANTEE ESTABLISHMENT OF ACCEPTABLE TURF AREA AND SHALL PROVIDE REPLACEMENT IF NECESSARY.

SOLID SOD:

- SOLID SOD SHALL BE PLACED ALONG ALL IMPERVIOUS EDGES, AT A MINIMUM THIS SHALL INCLUDE CURBS, WALKS, INLETS, MANHOLES AND PLANTING BED AREAS. SOD SHALL COVER OTHER AREAS COMPLETELY AS INDICATED BY PLAN.
- SOD SHALL BE STRONGLY ROOTED DROUGHT RESISTANT SOD, NOT LESS THAN 2 YEARS OLD, FREE OF WEEDS AND UNDESIRABLE NATIVE GRASS AND MACHINE CUT TO PAD THICKNESS OF 3/4" (+1/4"), EXCLUDING TOP GROWTH AND THATCH.
- LAY SOD BY HAND TO COVER INDICATED AREAS COMPLETELY, ENSURING EDGES ARE TOUCHING WITH TIGHTLY FITTING JOINTS, NO OVERLAPS WITH STAGGERED STRIPS TO OFFSET JOINTS.
- TOP DRESS JOINTS IN SOD BY HAND WITH TOPSOIL TO FILL VOIDS IF NECESSARY
- SOD SHALL BE ROLLED TO CREATE A SMOOTH EVEN SURFACE. SOD SHOULD BE WATERED THOROUGHLY DURING INSTALLATION PROCESS.
- SHOULD INSTALLATION OCCUR BETWEEN OCTOBER 1ST AND MARCH 1ST, OVERSEED BERMUDAGRASS SOD WITH WINTER RYEGRASS AT A RATE OF 4 POUNDS PER 1000 S.F.

HYDROMULCH:

- SCARIFY AND LOOSEN ALL AREAS TO BE HYDROMULCHED TO A MINIMUM DEPTH OF 4" PRIOR TO TOPSOIL AND HYDROMULCH INSTALLATION.
- BERMUDA GRASS SEED SHALL BE EXTRA HULLED, TREATED LAWN TYPE. SEED SHALL BE DELIVERED TO THE SITE IN ITS ORIGINAL UNOPENED CONTAINER AND SHALL MEET ALL STATE/LOCAL LAW REQUIREMENTS.
- FIBER SHALL BE 100% WOOD CELLULOSE FIBER, DELIVERED TO THE SITE IN ITS ORIGINAL UNOPENED CONTAINER AS MANUFACTURED BY "CONWEB" OR EQUAL.
- FIBER TACK SHALL BE DELIVERED TO THE SITE IN ITS UNOPENED CONTAINER AND SHALL BE "TERRO-TACK ONE", AS MANUFACTURED BY GROWERS, INC OR APPROVED EQUAL.
- HYDROMULCH WITH BERMUDA GRASS SEET AT A RATE OF 2 POUNDS PER 1000 S.F.
- USE A BATTER BOARD AGAINST ALL BED AREAS TO PREVENT OVER SPRAY.
- IF INADEQUATE MOISTURE IS PRESENT IN SOIL, APPLY WATER AS NECESSARY FOR OPTIMUM MOISTURE FOR SEED APPLICATION.
- IF INSTALLATION OCCURS BETWEEN SEPTEMBER 1ST AND MAY 1ST, ALL HYDROMULCH AREAS SHALL BE OVER-SEEDED WITH WINTER RYE GRASS AT A RATE OF FOUR POUNDS PER ONE THOUSAND SQUARE FEET. CONTRACTOR SHALL BE REQUIRED TO RE-HYDROMULCH WITH BERMUDA GRASS THE FOLLOWING GROWING SEASON AS PART OF THIS CONTRACT.
- AFTER APPLICATION, NO EQUIPMENT SHALL OPERATE OVER APPLIED AREAS. WATER SEEDED AREAS IMMEDIATELY AFTER INSTALLATION TO SATURATION
- ALL LAWN AREAS TO BE HYDROMULCHED SHALL ACHIEVE 100% COVERAGE PRIOR TO FINAL ACCEPTANCE.

IRRIGATION:

- ALL REQUIRED LANDSCAPE AREAS SHALL HAVE AN AUTOMATIC IRRIGATION SYSTEM WITH A FREEZE/RAIN SENSOR. SYSTEM SHALL ALSO HAVE AN ET WEATHER BASED CONTROLLER AND BE DESIGNED AND INSTALLED BY A LICENSED IRRIGATOR.

MAINTENANCE REQUIREMENTS:

- VEGETATION SHOULD BE INSPECTED REGULARLY TO ENSURE THAT PLANT MATERIAL IS ESTABLISHING PROPERLY AND REMAINS IN A HEALTHY GROWING CONDITION APPROPRIATE FOR THE SEASON. IF DAMAGED OR REMOVED, PLANTS MUST BE REPLACED BY A SIMILAR VARIETY AND SIZE.
- MOWING, TRIMMING, EDGING AND SUPERVISION OF WATER APPLICATIONS SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR UNTIL THE OWNER OR OWNER'S REPRESENTATIVE ACCEPTS AND ASSUMES REGULAR MAINTENANCE.
- ALL LANDSCAPE AREAS SHOULD BE CLEANED AND KEPT FREE OF TRASH, DEBRIS, WEEDS AND OTHER MATERIAL.

PLANT SCHEDULE

QTY	LABEL	COMMON NAME	SCIENTIFIC NAME	SIZE	NOTES
SHADE TREES					
20	CE	Cedar Elm	Ulmus crassifolia	3" cal.	12' ht., 4' spread, matching
41	ELO	Escarpment Live Oak	Quercus fusiformis	3" cal.	12' ht., 4' spread, matching
9	LA	Lacey Oak	Quercus glaucoides	3" cal.	12' ht., 4' spread, matching
SHRUBS					
16	DY	Dwarf Yaupon Holly	Ilex vomitoria condeaux	5 gal.	full, 24" sprd, 24" o.c.
53	GM	Gulf Muhly	Muhlenbergia capillaris	3 gal.	full, 30" o.c.
6	FP	Firecracker Plant	Russelia equisetiformis	5 gal.	full, 18" sprd, 24" o.c.
39	PJ	Primrose Jasmine	Jasminum mesnyi	5 gal.	full, 24" sprd, 42" o.c.
190	RM	Upright Rosemary	Rosmarinus officinalis 'Upright'	5 gal.	full, 24" sprd, 36" o.c.
12	RY	Red Yucca	Hesperaloe parvifolia	5 gal.	full, 24" sprd, 30" o.c.
46	TS	Texas Sage 'Green Cloud'	Leucophyllum frutescens 'Green Cloud'	5 gal.	full, 24" sprd, 36" o.c.
77	WM	Wax Myrtle	Myrica cerifera	5 gal.	full, 24" sprd, 36" o.c.
GRASS					
		Bermuda Solid Sod	Cynodon dactylon		12' ht., 4' spread, matching

LANDSCAPE NOTES

- CONTRACTOR TO VERIFY AND LOCATE ALL PROPOSED AND EXISTING ELEMENTS. NOTIFY LANDSCAPE ARCHITECT OR DESIGNATED REPRESENTATIVE FOR ANY LAYOUT DISCREPANCIES OR ANY CONDITION THAT WOULD PROHIBIT THE INSTALLATION AS SHOWN. SURVEY DATA OF EXISTING CONDITIONS WAS SUPPLIED BY OTHERS.
- CONTRACTOR SHALL CALL 811 TO VERIFY AND LOCATE ANY AND ALL UTILITIES ON SITE PRIOR TO COMMENCING WORK. LANDSCAPE ARCHITECT SHOULD BE NOTIFIED OF ANY CONFLICTS. CONTRACTOR TO EXERCISE EXTREME CAUTION WHEN WORKING NEAR UNDERGROUND UTILITIES.
- A MINIMUM OF 2% SLOPE SHALL BE PROVIDED AWAY FROM ALL STRUCTURES.
- CONTRACTOR SHALL FINE GRADE AREAS TO ACHIEVE FINAL CONTOURS AS INDICATED. LEAVE AREAS TO RECEIVE TOPSOIL 3" BELOW FINAL FINISHED GRADE IN PLANTING AREAS AND 1" BELOW FINAL FINISHED GRADE IN LAWN AREAS.
- LANDSCAPE ISLANDS SHALL BE CROWNED, AND UNIFORM THROUGHOUT THE SITE.
- PLANTING AREAS AND SOD TO BE SEPARATED BY STEEL EDGING. NO STEEL EDGING SHALL BE INSTALLED ADJACENT TO BUILDINGS, WALKS OR CURBS. EDGING NOT TO BE MORE THAN 1/2" ABOVE FINISHED GRADE.
- EDGING SHALL BE CUT AT 45 DEGREE ANGLE WHERE IT INTERSECTS WALKS AND/OR CURBS.
- MULCH SHALL BE INSTALLED AT 1/2" BELOW THE TOPS OF SIDEWALKS AND CURBING.
- QUANTITIES ON THESE PLANS ARE FOR REFERENCE ONLY. THE SPACING OF PLANTS SHOULD BE AS INDICATED ON PLANS OR OTHERWISE NOTED. ALL TREES AND SHRUBS SHALL BE PLANTED PER DETAILS.
- CONTAINER GROWN PLANT MATERIAL IS PREFERRED HOWEVER BALL AND BURLAP PLANT MATERIAL CAN BE SUBSTITUTED IF NEED BE AND IS APPROPRIATE TO THE SIZE AND QUALITY INDICATED ON THE PLANT MATERIAL LIST.
- TREES SHALL BE PLANTED AT A MINIMUM OF 5' FROM ANY UTILITY LINE, SIDEWALK OR CURB. TREES SHALL ALSO BE 10' CLEAR FROM FIRE HYDRANTS.
- 4" OF SHREDDED HARDWOOD MULCH (2" SETTLED THICKNESS) SHALL BE PLACED OVER WEED BARRIER FABRIC. MULCH SHALL BE SHREDDED HARDWOOD MULCH OR APPROVED EQUAL. PINE STRAW MULCH IS PROHIBITED.
- WEED BARRIER FABRIC SHALL BE USED IN PLANT BEDS AND AROUND ALL TREES AND SHALL BE MIRAFI 1405 WEED BARRIER OR APPROVED EQUAL. CONTRACTOR TO PROVIDE UNIT PRICING OF LANDSCAPE MATERIALS AND BE RESPONSIBLE FOR OBTAINING ALL LANDSCAPE AND IRRIGATION PERMITS.

MISCELLANEOUS MATERIALS:

- STEEL EDGING SHALL BE 3/16" X 4 X 16' DARK GREEN DURAEDGE STEEL LANDSCAPE EDGING UNLESS NOTED OTHERWISE ON PLANS/DETAILS.

PRUNING AND TRIMMING NOTES

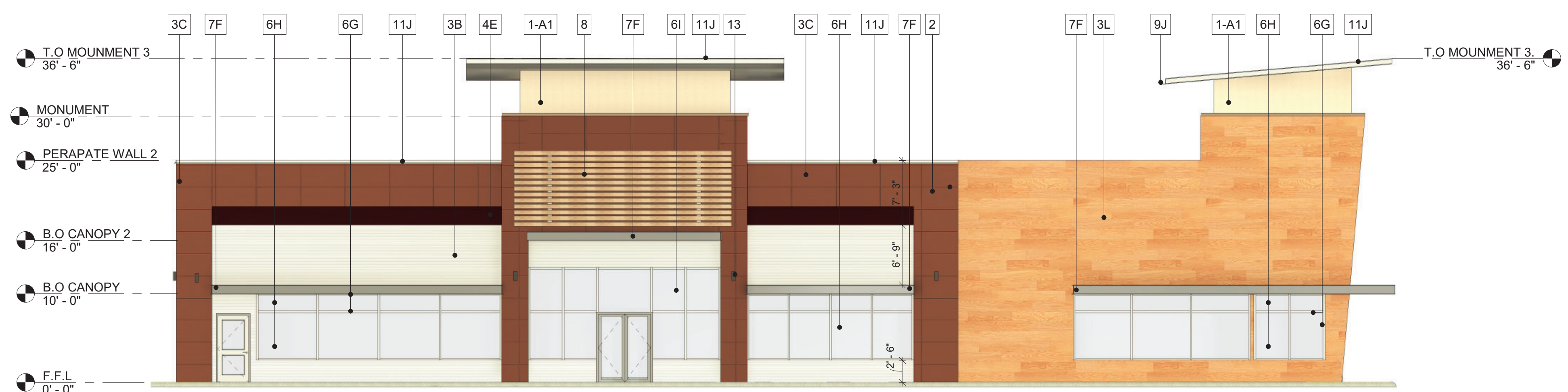
- CONTRACTOR SHALL PRUNE ALL EXISTING TREES ON-SITE USING STANDARD GUIDELINES IN THE INDUSTRY.
- ALL TREES SHALL BE TRIMMED SO THAT NATURAL SHAPES OF THE PLANTS ARE RETAINED.
- DO NOT 'TOP' OR 'HEAD' TREES.
- IF BALLING OR SHEARING OF TREES HAS OCCURRED IN THE PAST, DISCONTINUE THIS PRACTICE AND ALLOW PLANTS TO GROW INTO NATURAL SHAPE.
- REMOVE SUCKERS, DEAD, DYING, DISEASED, BROKEN AND / OR WEAK BRANCHES FROM ALL TREES ALONG THE MAIN TRUNK STRUCTURE AND WITHIN THE BRANCHING AREA.
- CONTRACTOR SHALL PRUNE EXISTING DECIDUOUS HARDWOOD BY REMOVING LOWER LIMBS TO RAISE THE CANOPY. THE BOTTOM OF THE CANOPY SHALL BE RAISED TO 12'-0" ABOVE GRADE FOR DECIDUOUS HARDWOOD TREES, WHEN POSSIBLE. THE INTEGRITY OF THE CANOPY AND STRUCTURE OF THE TREE SHALL BE MAINTAINED. DO NOT CUT OR PRUNE CENTRAL LEADERS.
- CONTRACTOR SHALL THIN THE CANOPY BY ONE-FOURTH. PRUNE TREE TO EVENLY SPACE BRANCHES WITHIN THE CANOPY WHENEVER POSSIBLE. REMOVE THOSE LIMBS THAT CROSS OTHERS, DOUBLE LEADERS AND THOSE THAT EXCESSIVELY EXTEND BEYOND THE NATURAL CROWN OF THE TREE.
- CONTRACTOR SHALL PROVIDE DEEP ROOT FEEDING AND INVIGORATION OF EXISTING TREES. THIS SHALL BE ORGANIC BASED NUTRIENTS BASED FOR ROOT GROWTH AND LEAF GROWTH STIMULATION.
- CONTRACTOR SHALL BE REQUIRED TO CHIP ALL REMOVED BRANCHES, LEAFS, ETC.

DWG #	REFERENCE DRAWINGS	REV	DATE	DESCRIPTION	BY:	CHK	APR	DRAWN BY:	CHECKED BY:	ENGINEER:	DATE:	MTS PROJECT NO.:
		0	10/25/2023	ISSUED FOR PERMIT	TT	SK	GM	TT	SK	GM	10/25/2023	29929
				SCALE:		DRAWING TITLE:		DRAWING NUMBER:		REV.		
				1"=50'-0"		LANDSCAPE SITE PLAN		A102		0		

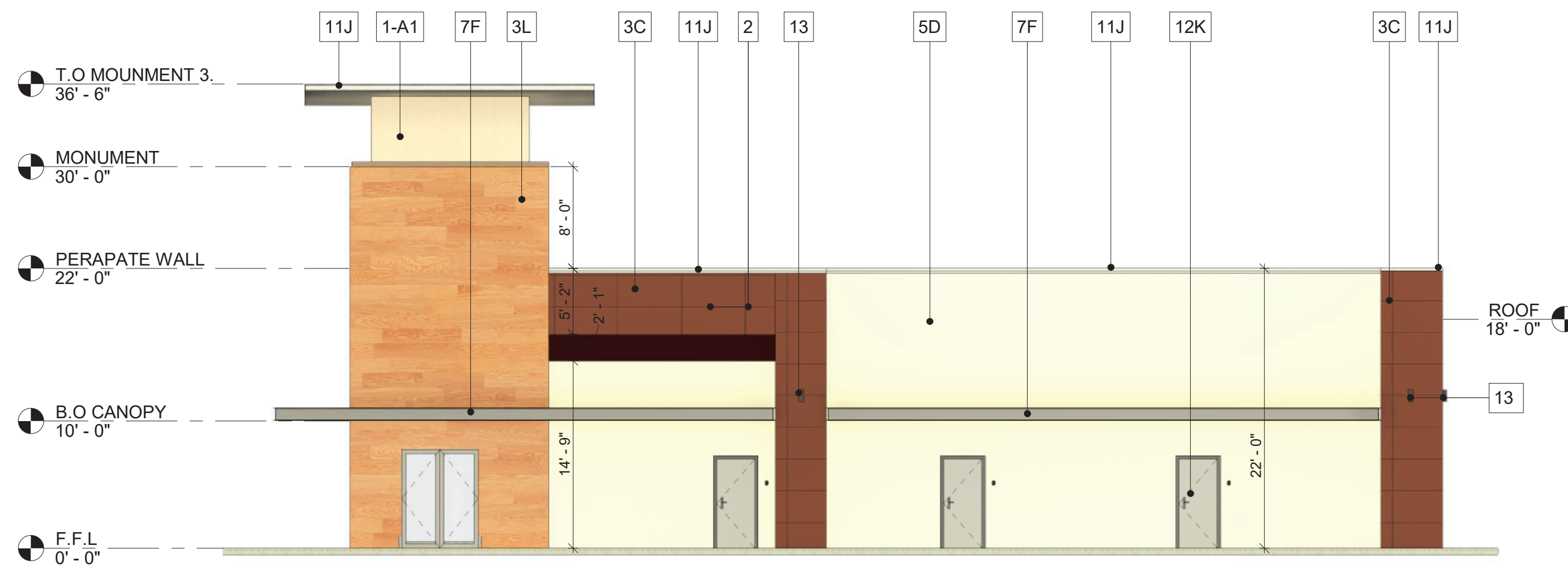
DEVELOPMENT ON SCHERTZ
 I-35 AT FM-2252,
 SCHERTZ, TEXAS



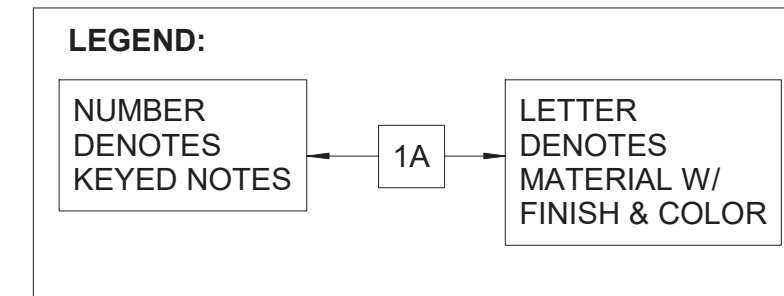
MTS ENGINEERING & DESIGN
 9950 WESTPARK DR. SUITE #426
 HOUSTON TEXAS 77063
 (281) 404-4438 (281) 253-4849
FIRM NO. 18844



1 NORTH ELEVATION FACING SOUTH
1/8" = 1'-0"



2 WEST ELEVATION FACING EAST
1/8" = 1'-0"



EXTERIOR FINISH SCHEDULE					
TAG	MATERIAL	FINISH	COLOR	BULDING COMPONENT	REMARKS
A	StoPowerwall™ STUCCO SYS.	SMOOTH		EXTERIOR WALL	
A1	StoPowerwall™ STUCCO SYS.	SMOOTH		EXTERIOR WALL	
B	NICHIHA FIBER CEMENT SIDING	RIBBED		EXTERIOR WALL	
C	NICHIHA FIBER CEMENT SIDING	STOCK ILLUMINATION		EXTERIOR WALL	
D	CMU	SMOOTH FACE		EXTERIOR WALL	
E	HR-16 METAL WALL PANEL	METALLIC/ ACRYLIC-COATED		EXTERIOR WALL	
F	ALUMINUM	PREFINISHED KYNAR 500 PAINT		CANOPY	
G	ALUMINUM	PREFINISHED KYNAR 500 PAINT		STOREFRONT SYSTEM	
H	1" INSULATING TEMPERED SOLARBAN 70 LOW-E-GLASS	CLEAR GLASS		EXTERIOR GLAZING	
I	1" INSULATING SOLARBAN 70 LOW-E-GLASS	CLEAR GLASS		EXTERIOR GLAZING	
J	22 GA. STEEL	PREFINISHED KYNAR 500 PAINT		GUTTER, DOWNSPOUTS & COPING	
K	16 GA. STEEL	GALV. PAINTED		DOOR	
L	NICHIHA FIBER CEMENT SIDING	WOODEN		EXTERIOR WALL	

EXTERIOR BUILDING MATERIAL SPECIFICATION:			
NO.	BUILDING MATERIAL	TYPE/ STYLE	COLOR/ FINISH
A	EXTERIOR SHEATHING/ SUBSTRATE.		
1	ALL EXTRIR SHEATHING TO BE 5/8" DENSGLOSS GOLD EXTERIOR SHEATHING OR 5/8" CDX PLYWOOD (WHERE APPLICABLE PER STRUCTURAL DESIGN). REFER TO BUILDING ELEVATIONS, SECTIONS & STRUCTURAL DRAWINGS FOR EXACT LOCATION.	DENSGLOSS GOLD/ CDX PLYWOOD	
B	FLUID-APPLIED AIR & MOISTURE BARRIERS		
1	StoGuard FLUID APPLIED WATERPROOF AIR BARRIER SYSTEM BY sto CORP INCLUDE THE FOLLOWING: a. StoGuard JOINT TREATMENT b. Sto EmeraldCoat (FLUID APPLIED WATERPROOF AIR BARRIER MEMBRANE) StoGuard JOINT TREATMENT: ALL EXTERIOR SHEATHING & CMU BLOCK JOINTS, SEAMS, CRACKS, AND TRANSITIONS IN ABOVE GRADE WALL CONSTRUCTION ARE TO BE SEALED WITH StoGuard RapidFill ALL EXTERIOR ROUGH OPENINGS ARE TO BE SEALED WITH StoGuard RapidSeal FLUID APPLIED StoGuard™ WATERPROOF AIR BARRIER MEMBRANE: UPON COMPLETION OF StoGuard JOINT TREATMENT, APPLY Sto EmeraldCoat) OVER ENTIRE SURFACE PER MANUFACTURER'S CONSTRUCTION SPECIFICATIONS	StoGuard WATERPROOF AIR BARRIER SYSTEM WITH Sto ElementCoat	STO CORP. DISTRIBUTOR MORRELL MASONRY (713)691-6585 (281) 667-5670 CONTACT:

EXTERIOR BUILDING MATERIAL SPECIFICATION:			
NO.	BUILDING MATERIAL	TYPE/ STYLE	COLOR/ FINISH
C	STUCCO SYSTEM		
1	3/4" THICK StoPowerwall STUCCO SYSTEM OVER FLUID APPLIED StoGuard WATERPROOF AIR BARRIER SYSTEM BY sto CORP. STO Powerwall STUCCO SYSTEM: 1. STO JOINT TREATMENT 2. STO EMERALDCOAT 3. 3/4" STO POWERWALL SCRATCH & BROWN COAT 4. STO PRIMER SMOOTH 5. STO POWERWALL FINE NOTES: FINISH COATINGS TO BE STOLASTIC SAND AND SMOOTH. INSTALL THE PRODUCTS PER MANUF. SPECIFICATIONS	DENSGLOSS GOLD	G.P GYPSUM CORP. 1.800.327.2344
D	FIBER CEMENT SIDING		
1	NICHIHA FIBER CEMENT SIDING OVER FLUID APPLIED STOGUARD WATERPROOF AIR BARRIER MEMBRANE (INSTALL PER MANUF. SPECIFICATIONS)	ILLUMINATIO N SERIES	MANUFACTURER NICHIHA CONTACTROB NECESSARY NICHIHA FIBER CEMENT (770)805-9466 (678) 283-0838
E	PREFIN. MTL. WALL PANEL BY MBCI		
1	MBCI PBC WALL PANEL OVER TAMKO TW-60 SELF-ADHER NG RUBBERIZED ASPHALT SHEET WATERPROOFING MEMBRANE ON 5/8" CDX PLYWOOD EXTERIOR SHEATHING. (INSTALL PER MANUF. SPECIFICATIONS)	PBC	METALLIC/ ACRYLIC-COTE D GALVALUME MBCI (877)713-6224

EXTERIOR BUILDING MATERIAL SPECIFICATION:			
NO.	BUILDING MATERIAL	TYPE/ STYLE	COLOR/ FINISH
F	PREFIN. MTL. WALL PANEL BY BERRIDGE		
1	BERRIDGE HR-16 WALL PANEL OVER TAMKO TW-60 SELF-ADHER NG RUBBERIZED ASPHALT SHEET WATERPROOFING MEMBRANE ON 5/8" CDX PLYWOOD EXTERIOR SHEATHING. (INSTALL PER MANUF. SPECIFICATIONS)	HR-16	BERRIDGE CONTACT: (281)707-4117
G	STOREFRONT SYSTEM		
1	STOREFRONT SYSTEM: OLDCASTLE RELIANCE SERIES SSG MULLION CURTAIN WALL W/ 1" INSULATING STRUCTURAL SILICON GLAZED SYSTEM. RE: WINDOW SCHEDULE	RELIANCE	OLDCASTLE
H	STOREFRONT CANOPY SYS.		
1	PREFINISHED ALUMINUM STOREFRONT ENTRANCE CANOPY. WALKWAY COVER & SUN CONTROL DEVICE ARE TO BE PROVIDED AND INSTALLED BY MANUFACTURER .		

GENERAL NOTES:

1. PROVIDE SHOPE DRAWING OF STOREFRONT PRIOR TO FABRICATION, DETAILING MATERIALS, FINISH, SIZES, PROFILES, CONNECTION, ETC.
2. ALL PAINT SHALL BE APPROVED BY OWNER PRIOR TO APPLICATION. PREPARE SURFACE AND APPLY PAINT, PRE PAINT MFR. RECOMENDATIONS.
3. PAINT MECH. AND PLUMBING ROOF PENETRATIONS.
4. LL GLAZING, STOREFRONT AND DOORS TO BE TEMPERED, SEE WINDOW SCHEDULE ON SHEET A-600
5. VERTICAL DIMENSIONS SHOWN ARE FOR REFERENCE TO TOP OF FRAMING LUMBER FROM TOP OF FLOOR SLAB (U.O.N) SEE TYPE WALL SECTIONS AND DETAILS FOR SPECIFICS.

KEYED NOTES:

1. 3/4" StoPowerwall™ STUCCO SYS. BY STO CORP. OVER 5/8" DENSGLOSS GOLD EXTERIOR SHEATHING. RE:EXTERIOR BUILDING MATERIAL SCHEDULE.
2. CONTROL JOINT (TYP.), INSTALL PER StoPowerwall™ NEXT STUCCO CONTROL JOINT DETAIL.
3. NICHIHA FIBER CEMENT SIDING OVER 5/8" CDX PLYWOOD EXTERIOR SHEATHING.RE:EXTERIOR BUILDING MATERIAL SPECS
4. BRIDGE HR-16 HORIZONTAL WALL PANEL INSTALL FOR METAL WALL PANELS PRE BRIDGE CONST. DETAILS RE: EXTERIOR BLDG. MATERIAL SPECS.
5. 8" CMU W/TRUSS TYPE REINF. @ 16" O.C. & #5 VERT. @ 24" O.C. FILL REINF. CELLS W/3000 PSI GROUT. CMU BLOCK WALL TO BE SEALD WITH FLUID APPLIED StoGuard (Sto Emeraldcoat) WATERPROOF AIR BARRIER SYSTEM BY Sto Corp (PAINTED).
6. 6000 SERIES THERMAL MP FRONT SET CLEAR ANODIZED CLASS-II FINISH ALUMINIUM STOREFRONT WITH 1" INSULATING STRUCTURAL SILICON LOW-E GLAZING (SSG) SYSTEM BY OLDCASTLE BUILDING ENVELOP. RE: WINDOW SCHEDULE.
7. PREFINISHED ALUMINIUM ENTRANCE CANOPY PROVIDED & INSTALLED BY AVADEK. RE: EXTERIOR BUILDING MATERIAL SCHEDULE.
8. EXTERIOR SIGN BY OWNER'S APPROVED VENDOR. BUILDING SIGN TO BE PROVIDED AND INSTALLED BY APPROVED SIGN VENDOR UNDER SEPARATE PERMIT. CONTR. TO CONTACT & COORDINATE W/ SIGN CONTR. & COPLY W/ NECESSARY ELECT. REQUIRMENTS. USE 5/8" CDX PLYWOOD SHEATHING, BEHAND SIGNAGE.
9. 6"X6" 22 GA. GALV. STEEL WITH KYNAR™ PAINT FINISH METAL DOWNSPOUT WITH 2" WIDE GALV. MTL. STRAP W/ EXP. BOLTS (MIN. 4 PER DOWNSPOUT)
10. ROOF ACCESS LADDER (RE: STRUCTURAL DRAWING).
11. 22 GA. GALV. METAL COPING WITH KYNAR PAINT FINISH OVER 22 GA. GALV. STEEL SELF-INDEXING CONTINUOUS CLEAT.
12. 16 GA. GALV. HOLLOW METAL DOOR FRAME AS SPEC'D.
13. WALL SCONCE LIGHT FIXTURE AS SPEC'D MOUNTAD AT 10'-0" A.F.F. REFER TO ELECT. DWG.
14. WALL PACK AS SPEC'D AT 11'-10" A.F.F. RE: ELECT. DWG.

GENERAL NOTES FOR CONTRACTOR:

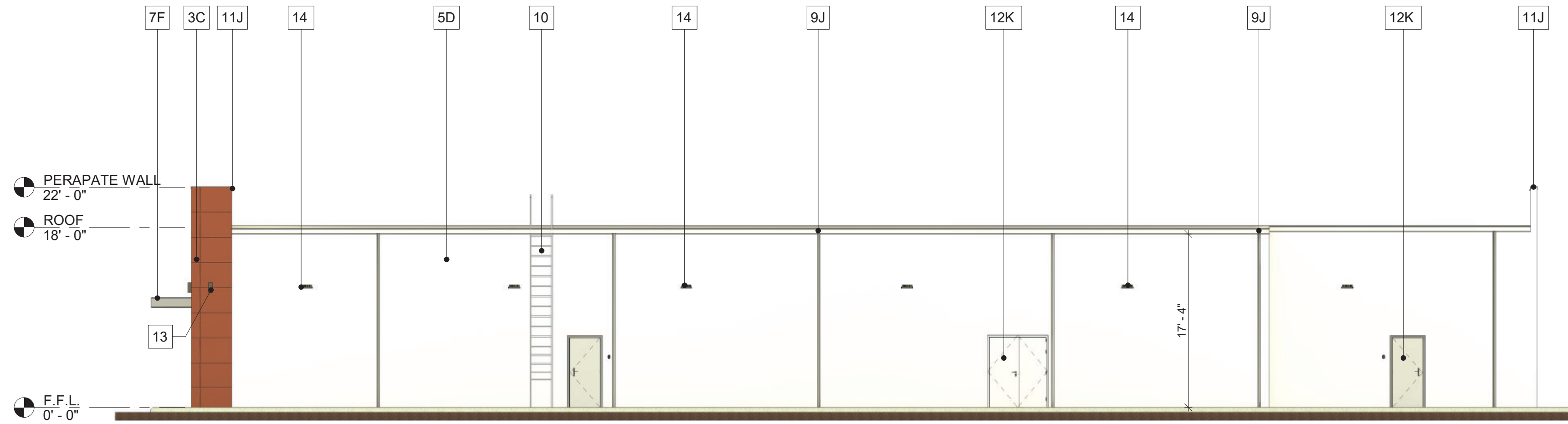
1. COLORS ARE SUBJECTED TO CHANGE, CONFIRM WITH ARCHITECTS FOR FINAL COLORS BEFORE PURCHASING MATERIALS.
2. REFER TO ENLERGED PARTIAL BLDG, ELEVATION ON SHEET A-200 FOR EXTERIOR COLOR SCHEME.
3. SUBMIT A SAMPLE OF 24 BY 24 INCH HARD BOARD OF COATING TEXTURE AND COLOR WITH A MANUFACTURER'S SPECIFICATIONS, INSTALATION INSTRUCTIONS AND PRODUCT DATA TO THE ENGINEER PRIOR TO COMMENCING ANY WORK.
4. REFER TO "WINDOW TYPES" ON SHEET A-600 FOR STOREFRONT ELEVATIONS.
5. SEAL THE ENTIRE EXTERIOR CMU BLOCK WALL WITH StoGuard FLUID APPLIED WATERPROOF AIR BARRIER SYSTEM BY sto CORP (TYP.)
6. CONTRACTOR SHALL SUBMIT MANUFACTURER CUT SHEETS AND SAMPLES FOR ALL SYSTEM MATERIAL FOR REVIEW AND APPROVAL BEFORE PLACING THE ORDER. SUBSTITUTE MANUF./ PRODUCTS MUST BE EQUAL QUALITY IN FUCTION AND APPEARANCE, AND MUST BE APPROVED BY THE ENGINEER AND OWNER.
7. CONTRUCTOR SHALL VERIFY AND COORDINATE ALL NEW AND EXISTING CONDITIONS AND DIMENSIONS AT JOB SITE FOR COMPARISON WITH DRAWINGS AND SPECIFICATIONS PRIOR TO COMMENCING ANY WORK. IF ANY DISCREPANCIES, INCOSISTENCIES OR OMISSIONS ARE FOUND, THE ENGINEER SHALL BE NOTIFIED IN WRITING FOR CLARIFICATION PRIOR TO PROCEEDING WITH WORK.

DWG #	REFERENCE DRAWINGS	REV	DATE	DESCRIPTION	BY:	CHK	APR	DRAWN BY:	CHECKED BY:	ENGINEER:	DATE:	PROJECT NO.:
		0	10/25/2023	ISSUED FOR PERMIT	TT	MS	GM	TT	MS	GM	29929	
								SCALE:	DRAWING TITLE:	DRAWING NUMBER:	REV:	
								1/8" = 1'-0"	EXTERIOR ELEVATIONS	A200	0	

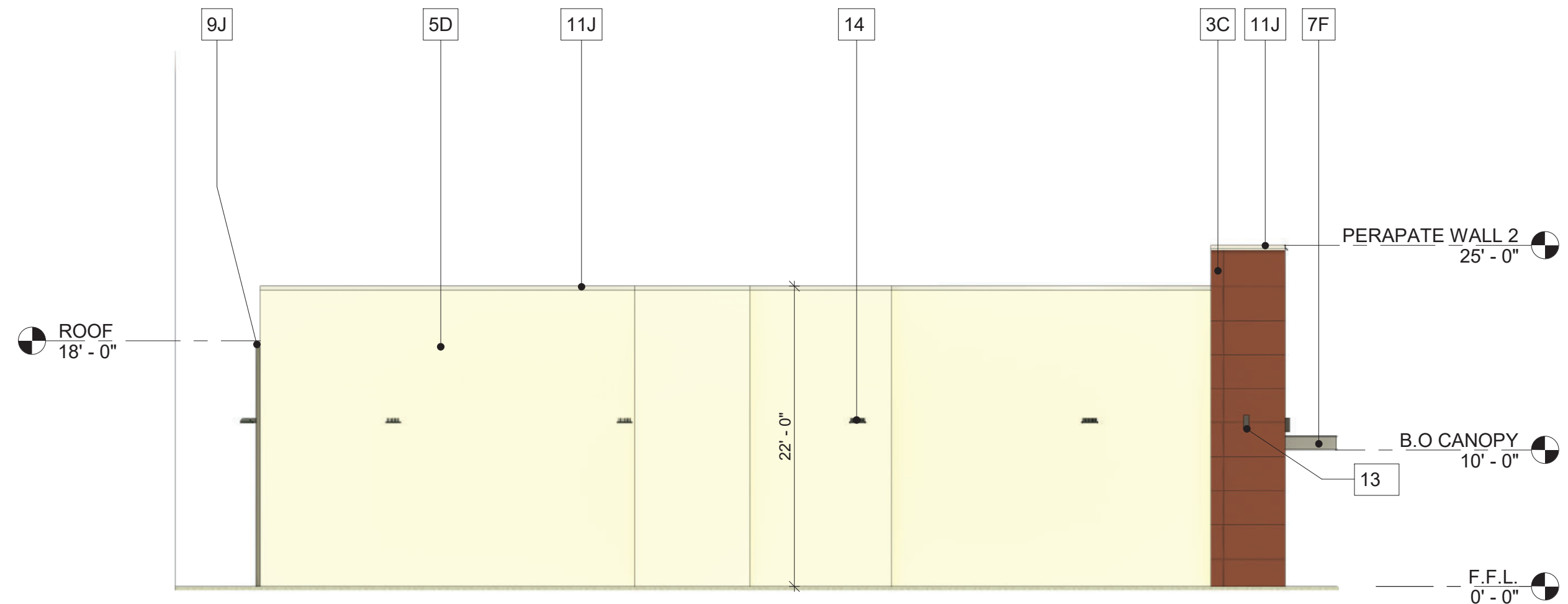
DEVELOPMENT ON SCHERTZ,
I-35 AT FM-2252,
SCHERTZ, TEXAS



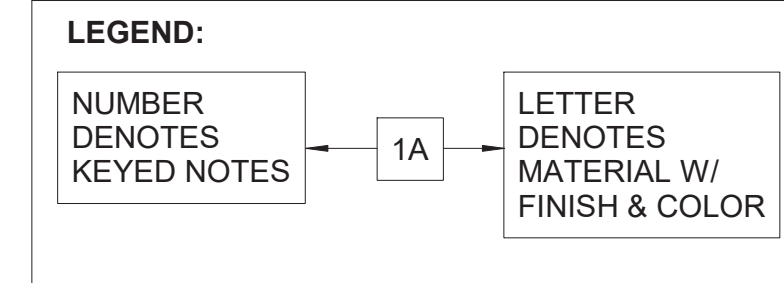
MTS ENGINEERING & DESIGN
9950 WESTPARK DR. SUITE #426
HOUSTON TEXAS 77063
(281) 404-4438 (281) 253-4849
FIRM NO. 18844



1 SOUTH ELEVATION FACING NORTH
1/8" = 1'-0"



2 EAST ELEVATION FACING WEST
1/8" = 1'-0"



EXTERIOR FINISH SCHEDULE					
TAG	MATERIAL	FINISH	COLOR	BUILDING COMPONENT	REMARKS
A	StoPowerwall™ STUCCO SYS.	SMOOTH		EXTERIOR WALL	
A1	StoPowerwall™ STUCCO SYS.	SMOOTH		EXTERIOR WALL	
B	NICHIHA FIBER CEMENT SIDING	RIBBED		EXTERIOR WALL	
C	NICHIHA FIBER CEMENT SIDING	STOCK ILLUMINATION		EXTERIOR WALL	
D	CMU	SMOOTH FACE		EXTERIOR WALL	
E	HR-16 METAL WALL PANEL	METALLIC/ ACRYLIC-COATED		EXTERIOR WALL	
F	ALUMINUM	PREFINISHED KYNAR 500 PAINT		CANOPY	
G	ALUMINUM	PREFINISHED KYNAR 500 PAINT		STOREFRONT SYSTEM	
H	1" INSULATING TEMPERED SOLARBAN 70 LOW-E-GLASS	CLEAR GLASS		EXTERIOR GLAZING	
I	1" INSULATING SOLARBAN 70 LOW-E-GLASS	CLEAR GLASS		EXTERIOR GLAZING	
J	22 GA. STEEL	PREFINISHED KYNAR 500 PAINT		GUTTER, DOWNSPOUTS & COPING	
K	16 GA. STEEL	GALV. PAINTED		DOOR	
L	NICHIHA FIBER CEMENT SIDING	WOODEN		EXTERIOR WALL	

EXTERIOR BUILDING MATERIAL SPECIFICATION:				
NO.	BUILDING MATERIAL	TYPE/ STYLE	COLOR/ FINISH	MANUFACTURER
A	EXTERIOR SHEATHING/ SUBSTRATE.			
1	ALL EXTRIR SHEATHING TO BE 5/8" DENSGLOSS GOLD EXTERIOR SHEATHING OR 5/8" CDX PLYWOOD (WHERE APPLICABLE PER STRUCTURAL DESIGN). REFER TO BUILDING ELEVATIONS, SECTIONS & STRUCTURAL DRAWINGS FOR EXACT LOCATION.	DENSGLOSS GOLD/ CDX PLYWOOD		G.P GYPSUM CORP. 1.800.327.2344
B	FLUID-APPLIED AIR & MOISTURE BARRIERS			
1	StoGuard FLUID APPLIED WATERPROOF AIR BARRIER SYSTEM BY sto CORP INCLUDE THE FOLLOWING: a. StoGuard JOINT TREATMENT b. Sto EmeraldCoat (FLUID APPLIED WATERPROOF AIR BARRIER MEMBRANE) StoGuard JOINT TREATMENT: ALL EXTERIOR SHEATHING & CMU BLOCK JOINTS, SEAMS, CRACKS, AND TRANSITIONS IN ABOVE GRADE WALL CONSTRUCTION ARE TO BE SEALED WITH StoGuard RapidFill ALL EXTERIOR ROUGH OPENINGS ARE TO BE SEALED WITH StoGuard RapidSeal FLUID APPLIED StoGuard™ WATERPROOF AIR BARRIER MEMBRANE. UPON COMPLETION OF StoGuard JOINT TREATMENT, APPLY Sto EmeraldCoat OVER ENTIRE SURFACE PER MANUFACTURER'S CONSTRUCTION SPECIFICATIONS	StoGuard WATERPROOF AIR BARRIER SYSTEM WITH Sto ElementCoat		STO CORP. DISTRIBUTOR MORRELL MASONRY (713)691-6585 (281) 667-5670 CONTACT:

EXTERIOR BUILDING MATERIAL SPECIFICATION:				
NO.	BUILDING MATERIAL	TYPE/ STYLE	COLOR/ FINISH	MANUFACTURER
C	STUCCO SYSTEM			
1	3/4" THICK StoPowerwall STUCCO SYSTEM OVER FLUID APPLIED StoGuard WATERPROOF AIR BARRIER SYSTEM BY sto CORP. STO Powerwall STUCCO SYSTEM: 1. STO JOINT TREATMENT 2. STO EMERALDCOAT 3. 3/4" STO POWERWALL SCRATCH & BROWN COAT 4. STO PRIMER SMOOTH 5. STO POWERWALL FINE NOTES: FINISH COATINGS TO BE STOLASTIC SAND AND SMOOTH. INSTALL THE PRODUCTS PER MANUF. SPECIFICATIONS	DENSGLOSS GOLD		G.P GYPSUM CORP. 1.800.327.2344
D	FIBER CEMENT SIDING			
1	NICHIHA FIBER CEMENT SIDING OVER FLUID APPLIED STOGUARD WATERPROOF AIR BARRIER MEMBRANE (INSTALL PER MANUF. SPECIFICATIONS)	ILLUMINATION SERIES		MANUFACTURER NICHIHA CONTACTROB NECESSARY NICHIHA FIBER CEMENT (770)805-9466 (678) 283-0838
E	PREFIN. MTL. WALL PANEL BY MBCI			
1	MBCI PBC WALL PANEL OVER TAMKO TW-60 SELF-ADHER NG RUBBERIZED ASPHALT SHEET WATERPROOFING MEMBRANE ON 5/8" CDX PLYWOOD EXTERIOR SHEATHING. (INSTALL PER MANUF. SPECIFICATIONS)	PBC	METALLIC/ ACRYLIC-COTE D GALVALUME	MBCI (877)713-6224

EXTERIOR BUILDING MATERIAL SPECIFICATION:				
NO.	BUILDING MATERIAL	TYPE/ STYLE	COLOR/ FINISH	MANUFACTURER
F	PREFIN. MTL. WALL PANEL BY BERRIDGE			
1	BERRIDGE HR-16 WALL PANEL OVER TAMKO TW-60 SELF-ADHER NG RUBBERIZED ASPHALT SHEET WATERPROOFING MEMBRANE ON 5/8" CDX PLYWOOD EXTERIOR SHEATHING. (INSTALL PER MANUF. SPECIFICATIONS)	HR-16		BERRIDGE CONTACT: (281)707-4117
G	STOREFRONT SYSTEM			
1	STOREFRONT SYSTEM: OLDCASTLE RELIANCE SERIES SSG MULLION CURTAIN WALL W/ 1" INSULATING STRUCTURAL SILICON GLAZED SYSTEM. RE: WINDOW SCHEDULE	RELIANCE		MANUFACTURER OLDCASTLE
H	STOREFRONT CANOPY SYS.			
1	PREFINISHED ALUMINUM STOREFRONT ENTRANCE CANOPY. WALKWAY COVER & SUN CONTROL DEVICE ARE TO BE PROVIDED AND INSTALLED BY MANUFACTURER .			

GENERAL NOTES:

1. PROVIDE SHOPE DRAWING OF STOREFRONT PRIOR TO FABRICATION, DETAILING MATERIALS, FINISH, SIZES, PROFILES, CONNECTION, ETC.
2. ALL PAINT SHALL BE APPROVED BY OWNER PRIOR TO APPLICATION. PREPARE SURFACE AND APPLY PAINT, PRE PAINT MFR. RECOMENDATIONS.
3. PAINT MECH. AND PLUMBING ROOF PENETRATIONS.
4. LL GLAZING, STOREFRONT AND DOORS TO BE TEMPERED, SEE WINDOW SCHEDULE ON SHEET A-600
5. VERTICAL DIMENSIONS SHOWN ARE FOR REFERENCE TO TOP OF FRAMING LUMBER FROM TOP OF FLOOR SLAB (U.O.N) SEE TYPE WALL SECTIONS AND DETAILS FOR SPECIFICS.

KEYED NOTES:

1. 3/4" StoPowerwall™ STUCCO SYS. BY STO CORP. OVER 5/8" DENSGLOSS GOLD EXTERIOR SHEATHING. RE: EXTERIOR BUILDING MATERIAL SCHEDULE.
2. CONTROL JOINT (TYP.). INSTALL PER StoPowerwall™ NEXT STUCCO CONTROL JOINT DETAIL.
3. NICHIHA FIBER CEMENT SIDING OVER 5/8" CDX PLYWOOD EXTERIOR SHEATHING. RE: EXTERIOR BUILDING MATERIAL SPECS
4. BRIDGE HR-16 HORIZONTAL WALL PANEL INSTALL FOR METAL WALL PANELS PRE BRIDGE CONST. DETAILS RE: EXTERIOR BLDG. MATERIAL SPECS.
5. 8" CMU W/TRUSS TYPE REINF. @ 16" O.C. & #5 VERT. @ 24" O.C. FILL REINF. CELLS W/3000 PSI BLOCK. CMU BLOCK WALL TO BE SEALD WITH FLUID APPLIED StoGuard (Sto Emeraldcoat) WATERPROOF AIR BARRIER SYSTEM BY Sto Corp (PAINTED).
6. 6000 SERIES THERMAL MP FRONT SET CLEAR ANODIZED CLASS-II FINISH ALUMINIUM STOREFRONT WITH 1" INSULATING STRUCTURAL SILICON LOW-E GLAZING (SSG) SYSTEM BY OLDCASTLE BUILDING ENVELOP. RE: WINDOW SCHEDULE.
7. PREFINISHED ALUMINIUM ENTRANCE CANOPY PROVIDED & INSTALLED BY MANUFACTURER. RE: EXTERIOR BUILDING MATERIAL SCHEDULE.
8. EXTERIOR SIGN BY OWNER'S APPROVED VENDOR. BUILDING SIGN TO BE PROVIDED AND INSTALLED BY APPROVED SIGN VENDOR UNDER SEPARATE PERMIT. CONTR. TO CONTACT & COORDINATE W/ SIGN CONTR. & COPLY W/ NECESSARY ELECT. REQUIRMENTS. USE 5/8" CDX PLYWOOD SHEATHING, BEHAND SIGNAGE.
9. 6"x6" 22 GA. GALV. STEEL WITH KYNAR™ PAINT FINISH METAL DOWNSPOUT WITH 2" WIDE GALV. MTL. STRAP W/ EXP. BOLTS (MIN. 4 PER DOWNSPOUT)
10. ROOF ACCESS LADDER (RE: STRUCTURAL DRAWING).
11. 22 GA. GALV. METAL COPING WITH KYNAR PAINT FINISH OVER 22 GA. GALV. STEEL SELF-INDEXING CONTINUOUS CLEAT.
12. 16 GA. GALV. HOLLOW METAL DOOR FRAME AS SPEC'D.
13. WALL SCONCE LIGHT FIXTURE AS SPEC'D MOUNTAD AT 11'-0" A.F.F. REFER TO ELECT. DWG.
14. WALL PACK AS SPEC'D AT 12" A.F.F. RE: ELECT. DWG.

GENERAL NOTES FOR CONTRACTOR:

1. COLORS ARE SUBJECTED TO CHANGE. CONFIRM WITH ARCHITECTS FOR FINAL COLORS BEFORE PURCHASING MATERIALS.
2. REFER TO ENLERGED PARTIAL BLDG. ELEVATION ON SHEET A-200 FOR EXTERIOR COLOR SCHEME.
3. SUBMIT A SAMPLE OF 24 BY 24 INCH HARD BOARD OF COATING TEXTURE AND COLOR WITH A MANUFACTURER'S SPECIFICATIONS, INSTALLATION INSTRUCTIONS AND PRODUCT DATA TO THE ENGINEER PRIOR TO COMMENCING ANY WORK.
4. REFER TO "WINDOW TYPES" ON SHEET A-600 FOR STOREFRONT ELEVATIONS.
5. SEAL THE ENTIRE EXTERIOR CMU BLOCK WALL WITH StoGuard FLUID APPLIED WATERPROOF AIR BARRIER SYSTEM BY sto CORP (TYP.)
6. CONTRACTOR SHALL SUBMIT MANUFACTURER CUT SHEETS AND SAMPLES FOR ALL SYSTEM MATERIAL FOR REVIEW AND APPROVAL BEFORE PLACING THE ORDER. SUBSTITUTE MANUF./ PRODUCTS MUST BE EQUAL QUALITY IN FUCTION AND APPEARANCE, AND MUST BE APPROVED BY THE ENGINEER AND OWNER.
7. CONTRUCTOR SHALL VERIFY AND COORDINATE ALL NEW AND EXISTING CONDITIONS AND DIMENSIONS AT JOB SITE FOR COMPARISON WITH DRAWINGS AND SPECIFICATIONS PRIOR TO COMMENCING ANY WORK. IF ANY DISCREPANCIES, INCOSISTENCIES OR OMISSIONS ARE FOUND, THE ENGINEER SHALL BE NOTIFIED IN WRITING FOR CLARIFICATION PRIOR TO PROCEEDING WITH WORK.

DWG #	REFERENCE DRAWINGS	REV	DATE:	DESCRIPTION	BY:	CHK	APR	DRAWN BY:	CHECKED BY:	ENGINEER:	DATE:	PROJECT NO.:
		0	10/25/2023	ISSUED FOR PERMIT	TT	MS	GM	TT	MS	GM	29929	29929
								SCALE:	DRAWING TITLE:	DRAWING NUMBER:	REV:	
								1/8" = 1'-0"	EXTERIOR ELEVATIONS	A201	0	

DEVELOPMENT ON SCHERTZ,
I-35 AT FM-2252,
SCHERTZ, TEXAS



MTS ENGINEERING & DESIGN
9950 WESTPARK DR. SUITE #426
HOUSTON TEXAS 77063
(281) 404-4438 (281) 253-4849
FIRM NO. 18844



Ordinance No: 23-S-32

Specific Use Permit for a convenience store with gas pumps
(7.8 acres)

Daisy Marquez | PLANNER



SCHERTZ

COMMUNITY • SERVICE • OPPORTUNITY

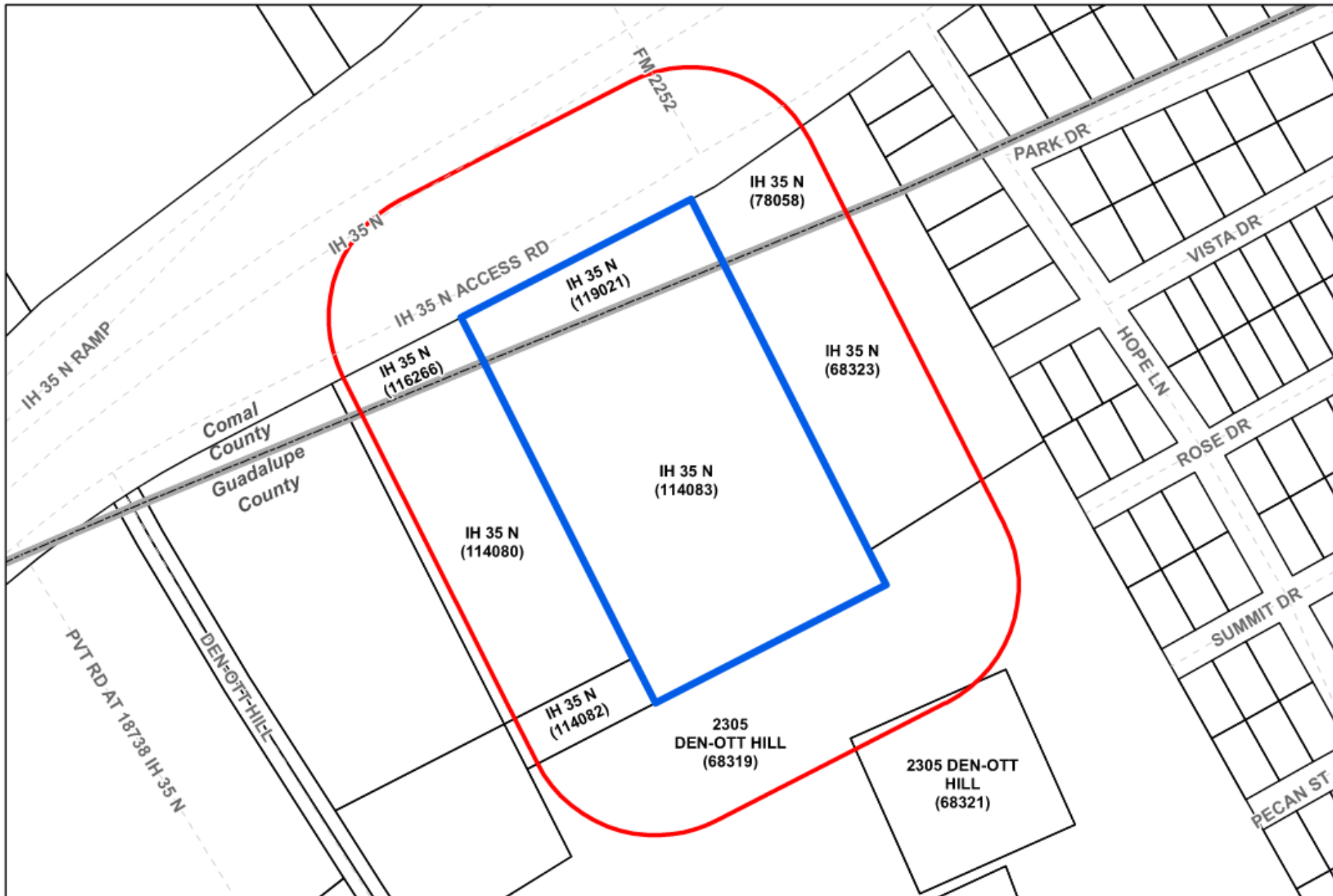
DEVELOPMENT AT SCHERTZ
IH 35 N
(PLSPU20230153)

<ul style="list-style-type: none"> — 10' Utility Easement — Highway — Major Road — Minor Road — Other Class 	<ul style="list-style-type: none"> — 10' Other Easement — Easement — Easement & Area — Private Road (Proposed) Area — Secondary Access 	<ul style="list-style-type: none"> — District Secondary Access — Secondary Rural Arterial — District Secondary Water Arterial — Neighborhood Collector — Planned Residential Collector 	<ul style="list-style-type: none"> — Collector Collector B — Planned Commercial Collector B — Collector Collector A — Planned Commercial Collector A — Collector Collector A — Planned Commercial Collector A 	<ul style="list-style-type: none"> — 7' 6" 8" 10" 12" — 8" 10" 12" 15" 18" — 6" 8" 10" 12" 15" 18" — 6" 8" 10" 12" 15" 18" — 6" 8" 10" 12" 15" 18" 	<ul style="list-style-type: none"> — School Service — School Pressure — Neighborhood Density — Private Pressure 	<ul style="list-style-type: none"> — Hydrant — Water Storage Facility — Valve — Schertz Treatment Plant — Schertz Treatment Plant 	<ul style="list-style-type: none"> — CCMA Treatment Plant — Schertz Lift Station — Private Lift Station — CCMA Lift Station 	<ul style="list-style-type: none"> — 20' Easement — Barren (Unimproved) Boundary — County Boundary
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1 inch = 200 Feet

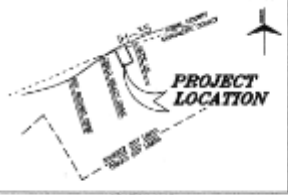
SCHERTZ

COMMUNITY. SERVICE. OPPORTUNITY.



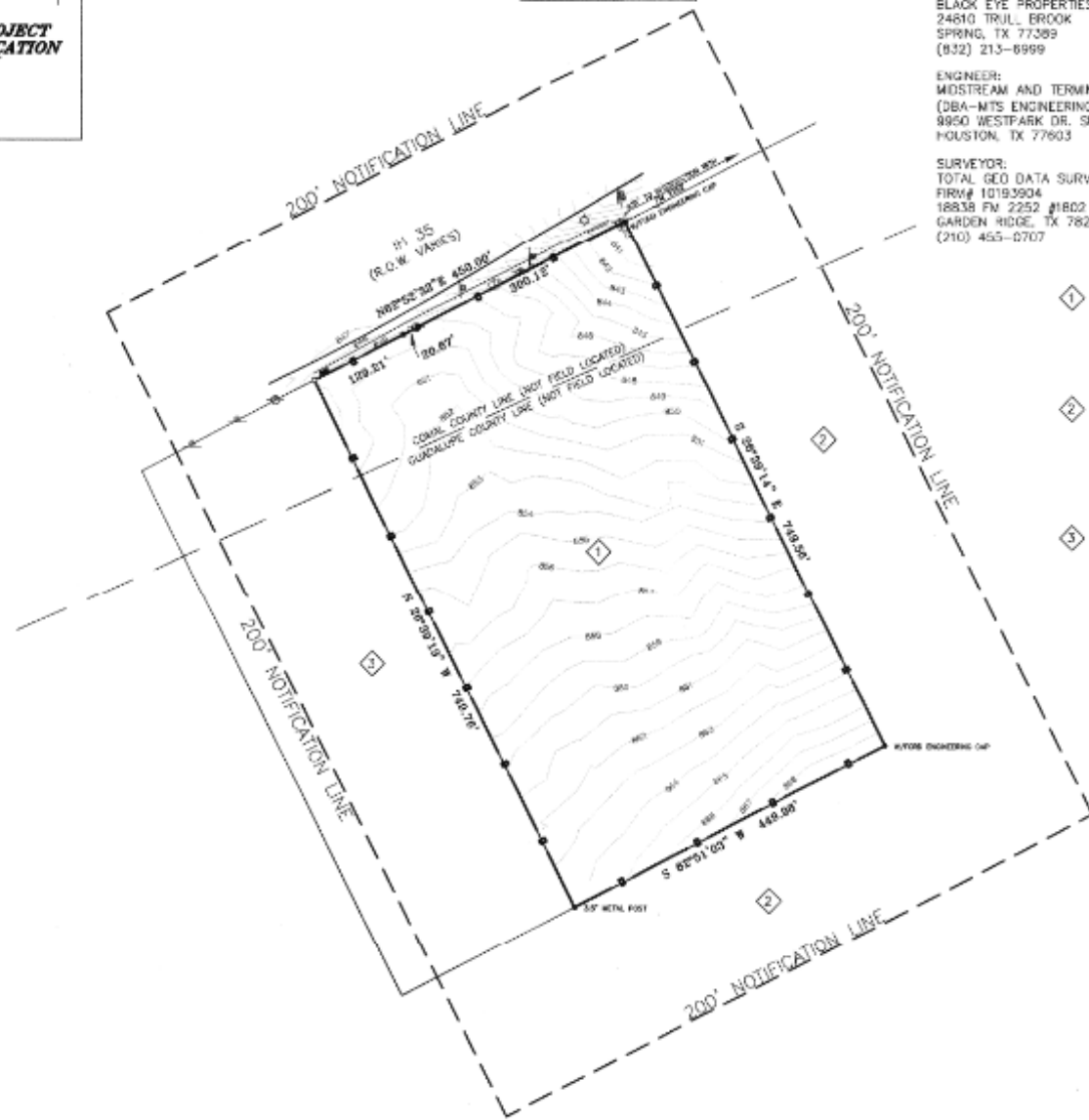
- Nov 1, 2023: 5 public hearing notices mailed
- Nov 29, 2023: public hearing notice published in San Antonio Express
- Responses Received:
 4- Opposition
 1- In Favor
 0- Neutral
- 1 Sign was posted on the property.





LOCAL MAP
REF TO 8042

SPECIFIC USE EXHIBIT



DEVELOPER:
BLACK EYE PROPERTIES
24610 TRUL BROOK
SPRING, TX 77389
(832) 213-8999

ENGINEER:
MIDSTREAM AND TERMINAL SERVICES LLC.
(DBA-MTS ENGINEERING AND DESIGN)
9950 WESTPARK DR. SUITE 426
HOUSTON, TX 77063

SURVEYOR:
TOTAL GEO DATA SURVEYING LLC
FIRM# 10193904
18838 FM 2252 #1802
GARDEN RIDGE, TX 78268
(210) 455-0707

- 1 TRAWICK & NANCY A WOMACK
1413 SETTLEMENT WAY
NEW BRAUNFELS, TX 78132
GCAD PROPERTY ID:114083
CCAD PROPERTY ID:119021
ZONE: (GB) GENERAL BUSINESS
- 2 DIANA DENBERGER DTT ET AL
P O BOX 18155
CORPUS CHRISTI, TX 78480
GCAD PROPERTY ID: 68319
CCAD PROPERTY ID: 68323
CCAD PROPERTY ID: 78058
ZONE: (GB) GENERAL BUSINESS
- 3 RONALDO & CLARE M CABRILLO
P O BOX 050843
SAN ANTONIO, TX 78288
GCAD PROPERTY ID: 114080
GCAD PROPERTY ID: 114082
CCAD PROPERTY ID: 116266
ZONE: (GB) GENERAL BUSINESS

PREPARED: 09/26/2023
DRAWN: 10/11/2023
REVISION: 10/20/2023
SCALE: 1"=100'
JOB NO.: 2023-074
ZONING EXHIBIT FOR:
DESIGNED REALTY GROUP

LEGEND
S.L. - 2023 ZONING
D.M. - OFFICIAL PUBLIC RECORD
M.P. - MAP & PLAN RECORDS
F.I.B. - FRONT YR OF RECORD
V.L. - VARIATION FROM
P.O. - POINT 1/2" MAP
S.P. - SURVEYED PROPERTY ADJACENT
S.P. - SURVEYED PROPERTY ADJACENT
S.P. - SURVEYED PROPERTY ADJACENT
S.P. - SURVEYED PROPERTY ADJACENT
S.P. - SURVEYED PROPERTY ADJACENT
S.P. - SURVEYED PROPERTY ADJACENT
S.P. - SURVEYED PROPERTY ADJACENT
S.P. - SURVEYED PROPERTY ADJACENT



I HEREBY CERTIFY THAT THE ABOVE MAP
WAS MADE BY ME OR UNDER MY CLOSE
SUPERVISION AND THAT I AM A
LICENSED SURVEYOR IN THE STATE OF TEXAS.
DATE: 10/18/23
TOTAL GEO DATA SURVEYING LLC

TOTAL GEO DATA SURVEYING LLC.
FIRM & ADDRESS
18838 FM 2252 #1802
GARDEN RIDGE, TX 78268
(817) 650-8700
FIRM# 10193904
WWW.TOTALGEO.COM

OWNER
TRAWICK & NANCY A WOMACK
1413 SETTLEMENT WAY
NEW BRAUNFELS, TX 78132
(210) 240-2077

APPLICANT
DESIGNED REALTY GROUP
22412 FM 2100
LUTTWAN, TX 77350
(210) 524-1300

GUADALUPE COUNTY
PROPERTY ID:
114083
CORRAL COUNTY
PROPERTY ID:
119021
ZONING EXHIBIT
PROPERTY IS GENERALLY
LOCATED ON H-35 TO
THE NORTHEAST OF OF
CIBOLA VALLEY DRIVE,
SCHERTZ, CORRAL &
GUADALUPE COUNTIES,
TEXAS.
PREPARED:
OCTOBER 25TH, 2023

NOTES
1. MAPS OF TEXAS WITH AMERICAN ANCHORS OF 1983 TRANSFORMED PLANE COORDINATE SYSTEM SHALL BE USED, UNLESS OTHERWISE SPECIFIED.
2. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT REGARDING COVER MATTERS OF RECORD OR EFFECTIVE PROPERTY.
3. SURVEY PROPERTY APPEARS TO BE OVERLAP WITH THE FLOOD ZONE AREA "D" (DATA DETERMINED TO BE OUTSIDE THE FLOOD ZONE) AS INDICATED ON THE FLOODPLAIN FLOOD INSURANCE RATE MAP (FIRM) EFFECTIVE DATE: NOVEMBER 3, 2017 BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR GUADALUPE COUNTY. THESE SURVEY DATA MAY SUBMITTER OR OWNERS. THE ACCURACY OR CORRECTNESS OF THE FLOOD MAPS.
4. THIS EXHIBIT IS NOT A BOUNDARY SURVEY.

EXISTING ZONING: GENERAL BUSINESS DISTRICT (GB) - 7.744 AC.
PROPOSED ZONING: GENERAL BUSINESS DISTRICT (GB) - 7.744 AC.



Proposed SUP

- Applicant is requesting a Specific Use Permit (SUP) to allow a convenience store with gas pumps on the approximately 7.8 acres.
- UDC Section 21.5.8 requires a Specific Use Permit for a convenience store with gas pumps in General Business District.



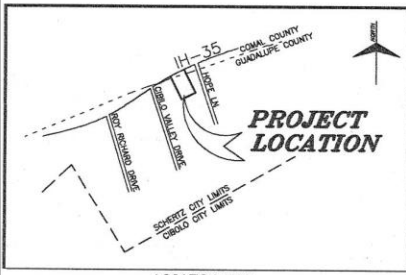
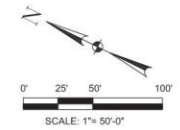
•Subject Property zoned
General Business (GB)

	Existing Zoning	Land Use
North	Right of Way	IH-35 N Access Road
South	General Business District (GB) and Residential Agricultural District (R-A)	Vacant/Undeveloped
East	General Business District (GB)	Vacant/Undeveloped
West	General Business District (GB)	Connex Box Storage

Proposed SUP

- **Per the submitted Letter of Intent, if the SUP is approved the development would consist of:**
 - **A 10,827 square foot convenience store with gas pumps**
 - **A diesel canopy**
 - **Truck parking at the rear**
 - **6,000 square foot building with additional retail**
- **If the Specific Use Permit is approved, the applicant will have to go through the site plan process in conformance with UDC Section 21.9.12 and will have to meet all City of Schertz UDC requirements as listed in Article 9.**

Conceptual Site Plan



LOCATION MAP
(NOT TO SCALE)

SITE SUMMARY	
PROPOSED USE:	C-STORE SUBWAY HAIR SHOP PIZZA SHOP COFFEE SHOP WITH GAS STATION (GB) GENERAL BUSINESS
ZONING DISTRICT:	(GB) GENERAL BUSINESS
LOT AREA:	336722.88 SFT / 7.730 ACRES
EXISTING IMPERVIOUS COVER:	0
PROPOSED IMPERVIOUS COVER:	287,553.74 SFT / 6.601317 ACRES
BUILDING AREA:	16,827 SFT / 0.386 ACRES
BUILDING HEIGHT:	36'-6"

WHEEL STOP NOTE:

WHEEL STOPS ARE REQUIRED FOR ALL AREAS OF HEAD-IN PARKING ADJACENT TO LANDSCAPED AREAS. WHEEL STOPS WILL BE PLACED SO THAT THE OVERHANG OF VEHICLES IS CONTAINED TOTALLY WITHIN THE PARKING SPACE.

LIGHT NOTE:

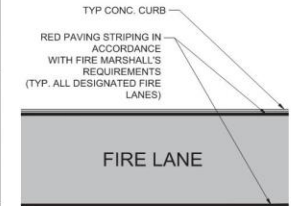
THIS SITE WILL COMPLY WITH ALL LIGHTING AND GLARE STANDERS ACCORDING TO THE UNIFIED DEVELOPMENT CODE AT THE TIME OF BUILDING PERMIT.

SIGNAGE NOTE:

ALL THE SIGNAGE WILL COMPLY WITH UNIFIED DEVELOPMENT CODE AT THE TIME OF BUILDING PERMIT.

FLOOD INFORMATION:

ACCORDING TO FLOOD INSURANCE RATE MAP, PANEL 48187C0210F, DATES: 11/02/2007, IS LOCATED IN ZONE UNSHADED X AND IS NOT WITHIN THE 100-YEAR FLOODPLAIN.

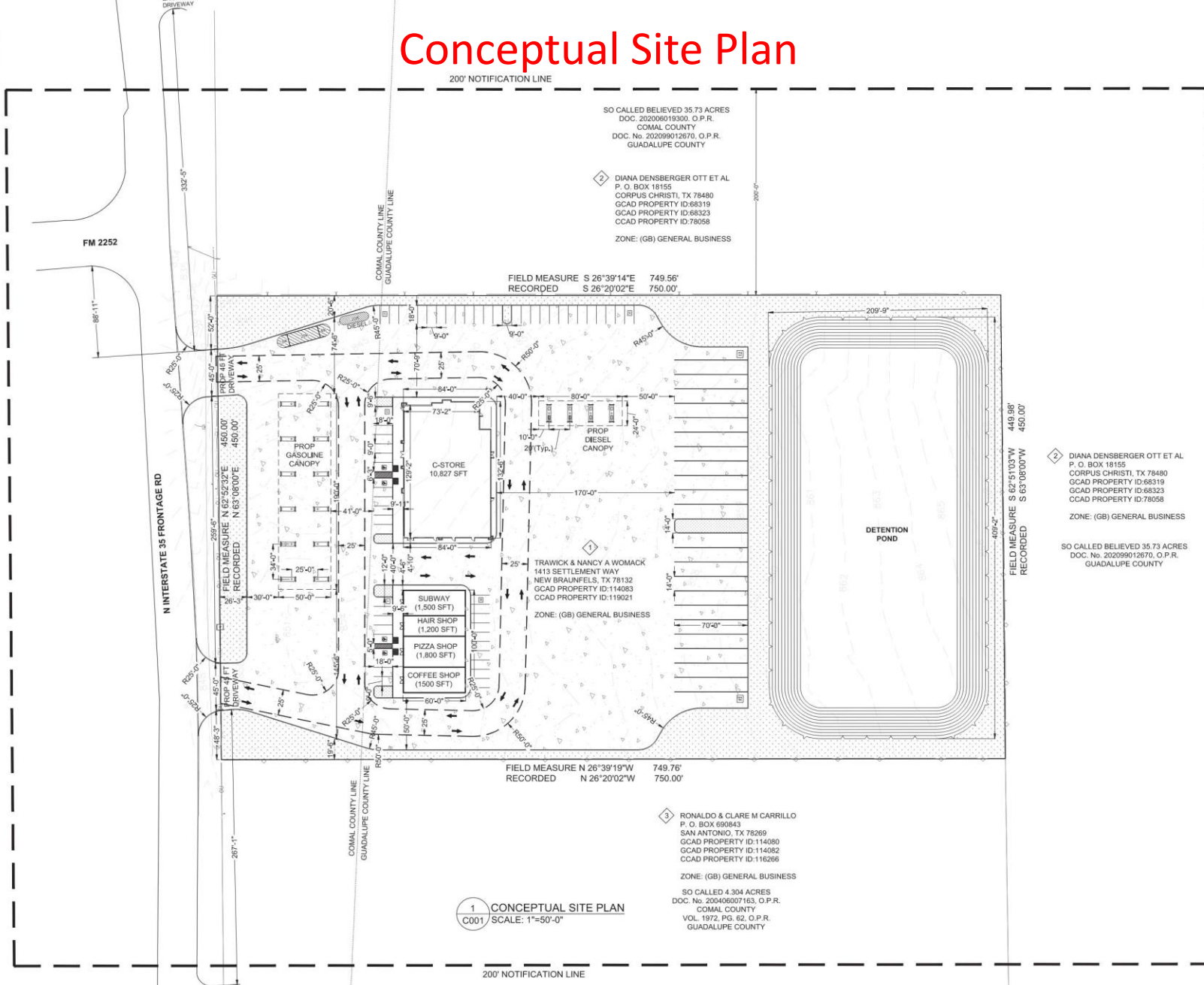


TYPICAL FIRE LANE DETAIL
NTS

(OPTIONAL AT FIRE MARSHALLS DISCRETION)

PARKING SYNOPSIS

OCCUPANCY TYPE	PARKING COUNT	REQUIRED	PROVIDED
C-STORE	10,827 / 250	43.30 (44)	82
SUBWAY	1,500 / 250	6	
HAIR SHOP	1,200 / 250	4.8(5)	
PIZZA SHOP	1,800 / 250	7.2(8)	
COFFEE SHOP	1,500 / 250	6	
TOTAL		69	



1 CONCEPTUAL SITE PLAN
C001 SCALE: 1"=50'-0"

DEVELOPER:
BLACK EYE PROPERTIES
24810 TRULL BROOK
SPRING, TX 77389
(832) 213-6999

ENGINEER:
MIDSTREAM AND TERMINAL SERVICES LLC.
(DBA: MTS ENGINEERING AND DESIGN)
9950 WESTPARK DR. SUITE 426
HOUSTON, TX 77663

SURVEYOR:
TOTAL GEO DATA SURVEYING LLC
FIRM # 10193934
18838 FM 2252 # 1802
GARDEN RIDGE, TX 78266
(210) 455-0707

- 1 TRAWICK & NANCY A WOMACK
P. O. BOX 18155
CORPUS CHRISTI, TX 78480
GCAD PROPERTY ID: 114083
CCAD PROPERTY ID: 119021
ZONE: (GB) GENERAL BUSINESS
- 2 DIANA DENBERGER OTT ET AL
P. O. BOX 18155
CORPUS CHRISTI, TX 78480
GCAD PROPERTY ID: 68319
GCAD PROPERTY ID: 68323
CCAD PROPERTY ID: 78058
ZONE: (GB) GENERAL BUSINESS
- 3 RONALDO & CLARE M CARRILLO
P. O. BOX 690843
SAN ANTONIO, TX 78269
GCAD PROPERTY ID: 114080
GCAD PROPERTY ID: 114082
CCAD PROPERTY ID: 116266
ZONE: (GB) GENERAL BUSINESS

LEGEND

- D.R. - DEED RECORD
- O.P.R. - OFFICIAL PUBLIC RECORD
- M.P.R. - MAP & PLAT RECORDS
- M.P.R. - MAP & PLAT RECORDS
- P.O.B. - POINT OF BEGINNING
- FOC - FIBER OPTIC CABLE
- - FOUND 1/2" REBAR UNLESS OTHERWISE NOTED
- - SET 1/2" REBAR W/ CAP STAMPED "TOTAL GEO DATA 6042"
- () RECORD CALLS
- ☆ LIGHT STANDARD
- ⊕ CHAINLINK FENCE
- ⊕ BARBED WIRE FENCE
- ⊕ POWER POLE
- ⊕ OVERHEAD UTILITY
- ⊕ SIGN
- ⊕ FIRE HYDRANT
- ⊕ WATER VALVE
- ⊕ TXDOT TYPE I MONUMENT
- ⊕ WATER METER

LEGAL DESCRIPTION:
BEING A BOUNDARY AND TOPOGRAPHIC SURVEY OF 7.744 (337.329 S'71) ACRES IN THE ROBERT MARTIN & JOHN FALLS WALKER SURVEY NO. 113, ABSTRACT 414, COMAL COUNTY, TEXAS, AND ABSTRACT 244, GUADALUPE COUNTY, TEXAS, AS RECORDED IN DOCUMENT NO. 201806011073, O.P.R. OF COMAL COUNTY, TEXAS AND VOLUME 2006, PAGE 133, O.P.R., GUADALUPE COUNTY, TEXAS.

DWG #	REFERENCE DRAWINGS	REV	DATE	DESCRIPTION	BY	CHK	APR	DRAWN BY	CHECKED BY	ENGINEER	DATE	MTS PROJECT NO.
		0	10/25/2023	ISSUED FOR PERMIT	SK	MM	GM	SK	MM	GM	10/25/2023	29929
SCALE: 1"=50'-0" DRAWING TITLE: CONCEPTUAL SITE PLAN DRAWING NUMBER: C001 REV: 0												



DEVELOPMENT ON SCHERTZ,
I-35 AT FM-2252,
SCHERTZ, TEXAS

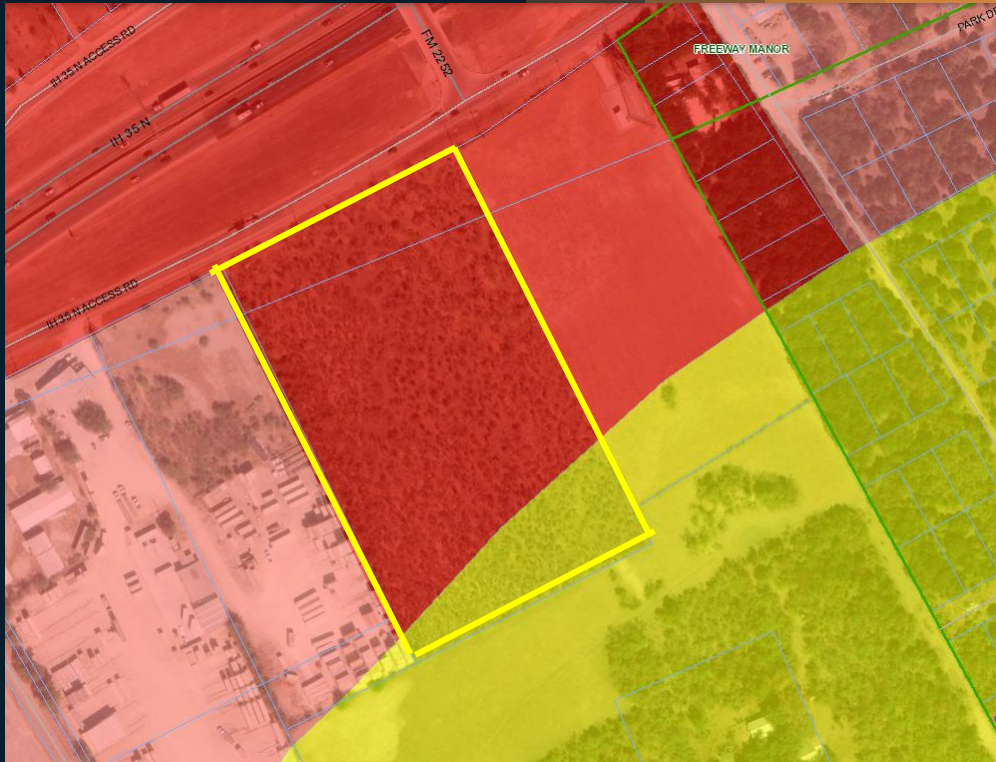


MTS ENGINEERING & DESIGN
9950 WESTPARK DR. SUITE #426
HOUSTON TEXAS 77063
(281) 404-4438 (281) 253-4849
FIRM NO. 18844

UDC Section 21.5.11.D Criteria for Approval

1. The proposed use at the specified location is consistent with the policies embodied in the adopted Comprehensive Land Plan.

The subject property is designated as Highway Commercial and Single Family Residential. The Highway Commercial land use designation is intended for regional scale retail and commercial uses located at major highway intersections that can take advantage of the highway frontage. The subject property's location along IH-35 N Access Road is ideal for taking advantage of the highway frontage. Single Family Residential land use designation is intended for a mix of residential with some commercial uses that support the daily activities of development.



Commercial Campus

Highway Commercial

Single Family Residential

UDC Section 21.5.11.D Criteria for Approval

2. The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations.

General Business District (GB) is intended to provide suitable areas for the development of non-residential uses that may include retail and service establishments that are generally oriented toward serving the overall needs of the community and are usually located along principal transportation corridors. The proposed developments' location along IH-35 N Access Road allows for the development to take advantage of IH-35 traffic and surrounding neighborhoods for business.

UDC Section 21.5.11.D Criteria for Approval

3. The proposed use is compatible with and preserves the character and integrity of adjacent developments and neighborhoods and includes improvements either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as safety, traffic, noise, odors, visual nuisances, drainage or other similar adverse effects to adjacent development and neighborhoods.

The proposed development is surrounded by adjacent General Business District zoning and is compatible with the existing development. The proposed convenience store with gas pumps will be required to meet all current City of Schertz site development standards stipulated in Article 9. Article 9 is in place to ensure adverse effects of development are minimized and mitigated on neighboring properties.

UDC Section 21.5.11.D Criteria for Approval

4. The proposed use does not generate pedestrian and vehicular traffic which will be hazardous or conflict with the existing and anticipated traffic in the neighborhood.

The proposed development is proposing two points of access along IH-35 N Access Road which is a one-way road. All proposed access points will be reviewed by the City of Schertz Engineering department and the Texas Department of Transportation.

5. The proposed use incorporates roadway adjustments, traffic control devices or mechanisms, and access restrictions to control traffic flow or divert traffic as may be needed to reduce or eliminate development generated traffic on neighborhood streets.

Access to the subject property will be along IH-35 N Access Road. The proposed access points will be reviewed by the City of Schertz Engineering department and the Texas Department of Transportation.

UDC Section 21.5.11.D Criteria for Approval

6. The proposed use incorporates features to minimize adverse effects, including visual impacts, of the proposed use on adjacent properties.

The proposed development will have to meet all site development requirements in Article 9 of the Unified Development Code. The adjacent properties are zoned General Business and are not being currently used for single-family residential. As a result, no additional screening requirements for residential use will be required.

7. The proposed use meets the standards for the zoning district, or to the extent variations from such standards have been requested, that such variations are necessary to render the use compatible with adjoining development and the neighborhood.

The proposed development will have to meet all dimensional and design requirements of the General Business District as mentioned in UDC Section 21.5.7. No variations to the requirements have been requested.

UDC Section 21.5.11.D Criteria for Approval

8. The proposed [use] promotes the health, safety or general welfare of the City and the safe, orderly, efficient and healthful development of the City. As part of promoting health, safety and welfare, the City should encourage development compatible with surrounding uses utilizing standards and transitional uses to alleviate negative impacts.

As part of promoting health, safety and welfare, the City should encourage development compatible with surrounding uses utilizing standards and transitional uses to alleviate negative impacts. Given the existing General Business District zoning of the adjacent surrounding properties, the location of the subject property on IH-35 N Access Road, and all access to the subject property being from IH-35 N Access Road, the proposed convenience store with gas pumps would not pose an adverse impact on adjacent properties.

9. No application made under these provisions will receive final approval until all back taxed owed to the City have been paid in full.

This does not impact the first reading from Council.

10. Other criteria which, at the discretion of the Planning and Zoning Commission and City Council deemed relevant and important in the consideration of the Specific Use Permit.

Staff has ensured all UDC requirements have been met for the Specific Use Permit, and at this time have not received any special considerations from the Planning and Zoning Commission or the City Council.

P&Z Recommendation

- The Planning and Zoning Commission conducted a public hearing on November 15, 2023, and offered a recommendation of approval with the condition that a building permit is issued within two (2) years of the SUP ordinance approval.

City Council Motion

- City Council conducted a public hearing on December 19, 2023, and made a motion to approve with the condition that a building permit is issued within two (2) years of the SUP ordinance approval with a 7-0 vote.

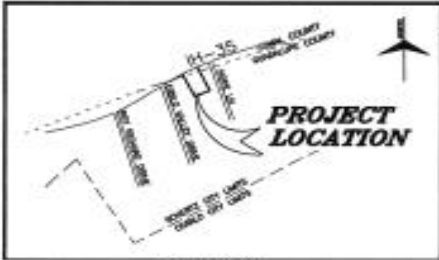
Staff Recommendation

- Staff recommends approval of the Specific Use Permit to allow a convenience store with gas pumps at the subject property conditioned upon the following:
 1. A building permit is approved within two years of the adoption of the SUP Ordinance.

COMMENTS & QUESTIONS



Proposed 8.8 Ac Truck Stop w/C-Store & Retail Shopping Center



PROPOSED USE: C-STORY SUBWAY, HURR SHOP, PIZZA SHOP, COFFEE SHOP WITH GAS STATION

ZONING DISTRICT: (08) GENERAL BUSINESS

LOT AREA: 581,723.88 SQ FT (13.28 ACRES)

EXISTING IMPERVIOUS COVER: 0

PROPOSED IMPERVIOUS COVER: 287,882.74 SQ FT (6,612.17 ACRES)

BUILDING AREA: 18,827 SQ FT (0.388 ACRES)

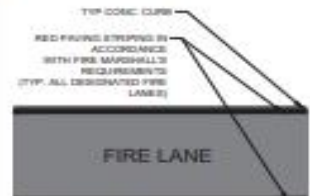
BUILDING HEIGHT: 38'-0"

WHEEL STOP NOTE:
WHEEL STOPS ARE REQUIRED FOR ALL AREAS OF HEAD-IN PARKING ADJACENT TO LANDSCAPED AREAS. WHEEL STOPS WILL BE PLACED SO THAT THE OVERHANG OF VEHICLES IS CONTAINED TOTALLY WITHIN THE PARKING SPACE.

LIGHT NOTE:
THIS SITE WILL COMPLY WITH ALL LIGHTING AND GLASS STANDARDS ACCORDING TO THE UNIFIED DEVELOPMENT CODE AT THE TIME OF BUILDING PERMIT.

SIGNAGE NOTE:
ALL THE SIGNAGE WILL COMPLY WITH UNIFIED DEVELOPMENT CODE AT THE TIME OF BUILDING PERMIT.

FLOOD INFORMATION:
FLOODPLAIN: 10' FLOOD PROTECTION WITH 50% PROB. OF EXCESSIVE WATER FLOODING. IS LOCATED IN ZONE UNSHADED X AND IS NOT WITHIN THE 100-YEAR FLOODPLAIN.

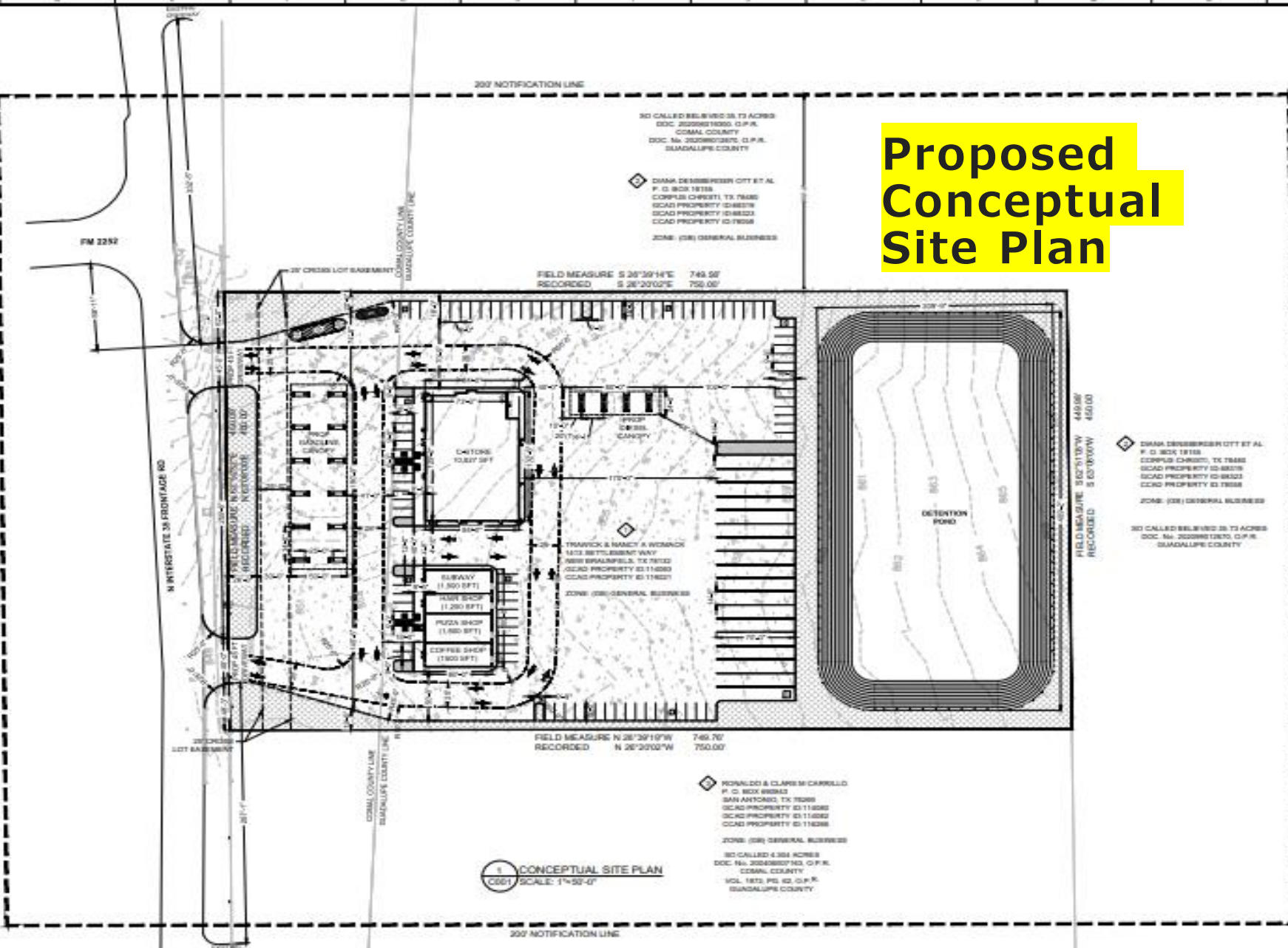


TYPICAL FIRE LANE DETAIL
(OPTIONAL AT FIRE MARSHALLS DISCRETION)

PARKING SYNOPSIS

OCCUPANCY TYPE	PARKING COUNT	REQUIRED	PROVIDED
C-STORY	16,827 / 200	42.30 (40)	95
SUBWAY	1,500 / 100	15	
HURR SHOP	1,200 / 200	4.80	
PIZZA SHOP	1,500 / 100	15	
COFFEE SHOP	1,500 / 100	15	
TOTAL		97	

Proposed Conceptual Site Plan



DEVELOPER:
BLACK EYE PROPERTIES
28815 TRILL BROOK
SPRING, TX 77389
(832) 213-8888

ENGINEER:
METHREMB AND TERRILL SERVICES LLC
28815 TRILL BROOK, SUITE 420
HOUSTON, TX 77052

SURVEYOR:
TOTAL 3D DATA SURVEYING LLC
1905 E 101ST AVE
1805 FM 2052 E 1802
GARLEN RIDGE, TX 75048
(214) 498-0727

- TRAVICK & NANCY A WORNACK
1412 SETTLEMENT WAY
NEW BRUNSWICK, TX 76132
CCAD PROPERTY ID 114283
CCAD PROPERTY ID 114281
ZONE: (08) GENERAL BUSINESS
- DANA DENBERGER OTT ET AL
P. O. BOX 18158
CORPUS CHRISTI, TX 78402
CCAD PROPERTY ID 88378
CCAD PROPERTY ID 88323
CCAD PROPERTY ID 78058
ZONE: (08) GENERAL BUSINESS
- RONALDO & CLARE M CARRELLO
P. O. BOX 88948
SAN ANTONIO, TX 78268
CCAD PROPERTY ID 114280
CCAD PROPERTY ID 114282
CCAD PROPERTY ID 114286
ZONE: (08) GENERAL BUSINESS

- LEGEND**
- D.R. = DEED RECORD
 - C.P.R. = OFFICIAL PUBLIC RECORD
 - M.P.R. = MAP & PLAT RECORDS
 - M.P.F. = MAP & PLAT RECORDS
 - P.O.B. = POINT OF BEGINNING
 - FOC = FIBER OPTIC CABLE
 - = FOUND 1/2" REBAR UNLESS OTHERWISE NOTED
 - = SET 1/2" REBAR 90 CAP STAFFED TOTAL 3D DATA POINT
 - (C) = RECORD CALLS
 - ★ = LIGHT STANDARD
 - ⊕ = CHAIN LINK FENCE
 - ⊕ = BARBED WIRE FENCE
 - ⊕ = POWER POLE
 - ⊕ = OVERHEAD UTILITY
 - ⊕ = SIGN
 - ⊕ = FIRE HYDRANT
 - ⊕ = WATER VALVE
 - ⊕ = TxDOT TYPE I MEASUREMENT
 - = WATER METER

LEGAL DESCRIPTION:
BEING A BOUNDARY AND TOPOGRAPHIC SURVEY OF 4.354 ACRES IN THE ROBERT MARTIN & JOHN FALLS WALKER SURVEY NO. 110, ABSTRACT 414, COMAL COUNTY, TEXAS AND ABSTRACT 284, GUADALUPE COUNTY, TEXAS AS RECORDED IN DOCUMENT NO. 2018071072, O.P.M. OF COMAL COUNTY, TEXAS AND VOLUME 3006, PAGE 123, O.P.M., GUADALUPE COUNTY, TEXAS.

DATE	REFERENCE	NO.	DATE	DESCRIPTION	BY	CHK	CHK	DRAWN BY	CHECKED BY	DESIGNER	DATE	PROJECT NO.
			11/23/2023	ISSUED FOR PERMIT	SM	SM	SM	SM	SM	SM	11/23/2023	2882
SCALE: 1"=50'-0"												
CONCEPTUAL SITE PLAN C001 0												



DEVELOPMENT ON SCHERTZ, I-35 AT FM-2252, SCHERTZ, TEXAS



MTS ENGINEERING & DESIGN
9950 WESTPARK DR. SUITE #420
HOUSTON TEXAS 77063
(281) 454-4438 (281) 253-8849
FIRM NO. 18844

Proposed Conceptual Site Plan



I-35 Feeder Road



LANDSCAPE TABULATIONS FOR SCHERTZ, TX

Site: 337,329 sf
 Limits of Construction: 337,329 sf

LANDSCAPE REQUIRED

- A Minimum of 20% of the total land area of any proposed non residential development shall be landscaped.
- Properties shall provide 9 trees per acre of lot area.

REQUIRED	PROVIDED
67,689 sf (20%) of total lot area (including)	
68 trees	70 trees

PARKING AREA

- Parking lots shall be screened from public view and adjacent properties.
- A minimum of 10% of the gross parking area shall be devoted to living landscaping which includes grass, groundcover, plants, shrubs and trees.
- There shall be a minimum of 1 shade tree planted for each 400 sf of required interior landscape area.

Parking Lot Area: 47,550 sf (44 spaces)

REQUIRED	PROVIDED
Parking Lot Screening	Parking Lot Screening
4,710 sf (10%)	
11 trees	20 trees

PERIMETER LANDSCAPE AREA

- All parking lots and vehicular use areas shall be screened from all abutting properties with a wall, fence, hedge berm or other durable landscape barrier. (30' ht)
- A 20' buffer shall be provided along N INTERSTATE 35 FRONTAGE RD.
- Street trees shall be provided 1 per 50 ft.

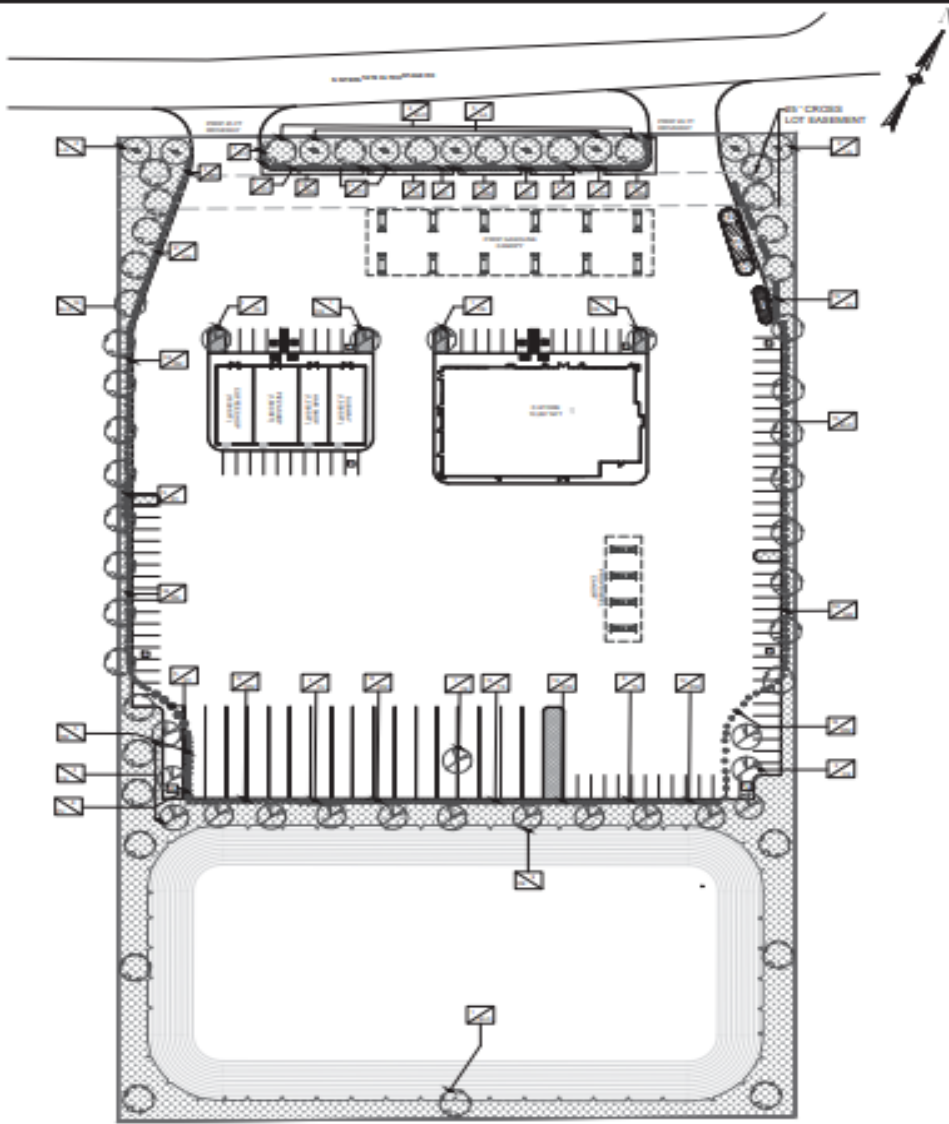
Street: 450 ft.

REQUIRED	PROVIDED
Hedge	Hedge
20' buffer	20' buffer
9 trees	17 trees
Wood	20' buffer
20' buffer	20' buffer
Plant	17 planting strip

RESIDENTIAL ADJACENCY

- Adjacent to residential, an 8' masonry fence shall be provided.
- A 20' buffer shall be provided adjacent to residential with 1 tree per 30 ft. and 10 shrubs per 50 ft.

REQUIRED	PROVIDED
20' buffer	20' buffer
12 trees	33 trees
76 shrubs	123 shrubs



GENERAL LAWN NOTES

- CONTRACTOR SHALL COORDINATE OPERATIONS AND AVAILABILITY OF EXISTING TOPSOIL WITH ON-SITE CONSTRUCTION MANAGER.
- LAWN AREAS SHALL BE LEFT 1" BELOW FINAL FINISHED GRADE PRIOR TO TOPSOIL INSTALLATION.
- CONTRACTOR TO FIND GRADE AREAS TO ACHIEVE FINAL CONTOURS AS SHOWN ON CIVIL DRAWINGS. POSITIVE DRAINAGE SHALL BE PROVIDED AWAY FROM ALL BUILDINGS, INCLUDING AT TOP AND BOTTOM OF SLOPES SHALL BE PROVIDED AND IN OTHER AREAS IN GRADE. CORRECT AREAS WHERE STAGNANT WATER MAY OCCUR.
- ALL LAWN AREAS SHALL BE FINE GRADED, IRRIGATION TRINCHES COMPLETELY SETTLED AND FINISH GRADE APPROVED BY THE OWNER'S CONSTRUCTION MANAGER OR LANDSCAPE ARCHITECT PRIOR TO LAWN INSTALLATION.
- CONTRACTOR SHALL REMOVE ALL ROCKS 3" IN DIAMETER AND LARGER REMOVE ALL DIRT CLODS, STICKS, CONCRETE SPOOLS, TRASH ETC PRIOR TO PLACING TOPSOIL AND GRASS INSTALLATION.
- CONTRACTOR SHALL MAINTAIN ALL LAWN AREAS UNTIL FINAL ACCEPTANCE.
- CONTRACTOR SHALL GUARANTEE ESTABLISHMENT OF ACCEPTABLE TURF AREA AND SHALL PROVIDE REPLACEMENT IF NECESSARY.

SOLID SOG:

- SOLID SOG SHALL BE PLACED ALONG IMPERVIOUS EDGES. AT A MINIMUM THIS SHALL INCLUDE CURBS, WALKS, INLETS, MANHOLES AND PLANTING BEDS. SOG SHALL COVER OTHER AREAS COMPLETELY AS INDICATED BY PLAN.
- SOG SHALL BE SLOWLY ROOTED DROUGHT RESISTANT SOG, NOT LESS THAN 2 YEARS OLD, FREE OF WEEDS AND UNDESIRABLE NATIVE GRASS AND MICHINE CUT TO PAD THICKNESS OF 3/4" (1 1/4"), INCLUDING TOP GROWTH AND THATCH.
- LAY SOG BY HAND TO COVER INDICATED AREAS COMPLETELY, ENSURING EDGES ARE TOUCHING WITHOUT ANY FITTING JOINTS. NO OVERLAPS WITH STAGNATED STRIPS TO OFFSET JOINTS.
- TOP GRESS JOINTS IN SOG BY HAND WITH TOPSOIL TO FILL VOIDS IF NECESSARY.
- SOG SHALL BE ROLLED TO CREATE A SMOOTH EVEN SURFACE. SOG SHOULD BE WATERED THOROUGHLY DURING INSTALLATION PROCESS.
- SHOULD REPLANTATION OCCUR BETWEEN OCTOBER 1ST AND MARCH 31ST, OVERSEED BERBERG GRASS SOG WITH WINTER RYEGRASS AT A RATE OF 5 POUNDS PER 1000 SQ. FT.

HYDROMULCH:

- SCAFFY AND LOOSEN ALL AREAS TO BE HYDROMULCHED TO A MINIMUM DEPTH OF 4" PRIOR TO TOPSOIL AND HYDROMULCH INSTALLATION.
- BERBERG GRASS SEED SHALL BE EXTRA KELLED, TREATED LAWN TYPE. SEED SHALL BE DELIVERED TO THE SITE IN ITS ORIGINAL UNOPENED CONTAINER AND SHALL MEET ALL STATISTICAL LAWN REQUIREMENTS.
- FIBER SHALL BE 100% WOOD CELLULOSE FIBER, DELIVERED TO THE SITE IN ITS ORIGINAL UNOPENED CONTAINER AS MANUFACTURED BY "COMWE" OR EQUAL.
- FIBER TACK SHALL BE OBTAINED TO THE SITE IN ITS UNOPENED CONTAINER AND SHALL BE "TERRO TACK ONE" AS MANUFACTURED BY GROVERS, INC OR APPROVED EQUAL.
- HYDROMULCH WITH BERBERG GRASS SEED AT A RATE OF 2 POUNDS PER 1000 SQ. FT.
- USE A BUTTER BOARD AGAINST ALL BED AREAS TO PREVENT OVER SPRAK.
- IF INADEQUATE MOISTURE IS PRESENT IN SOG, APPLY WATER AS NECESSARY FOR OPTIMUM SEEDLING FOR SEED APPLICATION.
- IF INSTALLATION OCCURS BETWEEN SEPTEMBER 1ST AND MAY 1ST, ALL HYDROMULCH AREAS SHALL BE OVERSEED WITH WINTER RYE GRASS AT A RATE OF FOUR POUNDS PER ONE THOUSAND SQUARE FEET. CONTRACTOR SHALL BE REQUIRED TO BE HYDROMULCH WITH BERBERG GRASS THE FOLLOWING GROWING SEASON AS PART OF THIS CONTRACT.
- AFTER APPLICATION, NO EQUIPMENT SHALL OPERATE OVER APPLIED AREAS WATER SEEDED AREAS IMMEDIATELY AFTER INSTALLATION TO BURN/CHURN.
- ALL LAWN AREAS TO BE HYDROMULCHED SHALL ACHIEVE 100% COVERAGE PRIOR TO FINAL ACCEPTANCE.

IRRIGATION:

- ALL REQUIRED LANDSCAPE AREAS SHALL HAVE AN AUTOMATIC IRRIGATION SYSTEM WITH A PRESSURE REGULATOR. SYSTEM SHALL ALSO HAVE AN SET WEATHER BASED CONTROLLER AND BE DESIGNED AND INSTALLED BY A LICENSED IRRIGATOR.

MAINTENANCE REQUIREMENTS:

- VEGETATION SHOULD BE INSPECTED REGULARLY TO ENSURE THAT PLANT MATERIAL IS ESTABLISHING PROPERLY AND REMAINS IN A HEALTHY GROWING CONDITION APPROPRIATE FOR THE SEASON. IF DAMAGED OR REMOVED, PLANTS MUST BE REPLACED BY A SIMILAR VARIETY AND SIZE.
- SOILING, TRIMMING, EDGING AND SUPERVISION OF WATER APPLICATIONS SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR UNTIL THE OWNER OR OWNER'S REPRESENTATIVE ACCEPTS AND ASSURES REGULAR MAINTENANCE.
- ALL LANDSCAPE AREAS SHOULD BE CLEANED AND KEPT FREE OF TRASH, DEBRIS, WEEDS AND OTHER MATERIAL.

PLANT SCHEDULE

QTY	LABEL	COMMON NAME	SCIENTIFIC NAME	SIZE	NOTES
SHADE TREES					
20	CE	Cedar Elm	<i>Ulmus crassifolia</i>	2" cal.	12' H., 2" spread, matching
41	ELD	Emerald Live Oak	<i>Quercus laevis</i>	2" cal.	12' H., 2" spread, matching
9	LA	Lacey Oak	<i>Quercus glauca</i>	2" cal.	12' H., 2" spread, matching
SHRUBS					
18	DY	Desert Yucca Holly	<i>Nesaea viridula</i>	9 gal.	5/8 20" apr. 20" w.
8	SM	Soft Shrub	<i>Muhlenbergia capillaris</i>	9 gal.	5/8 30" w.
6	PP	Prostrate Plant	<i>Rhus copallina</i>	9 gal.	5/8 18" apr. 20" w.
28	PJ	Prostrate Jasmine	<i>Jasminum mesnyi</i>	9 gal.	5/8 20" apr. 47" w.
10	RM	Upright Rosemary	<i>Rosmarinus officinalis 'Upright'</i>	9 gal.	5/8 20" apr. 38" w.
12	RY	Red Yucca	<i>Hesperaloe parviflora</i>	9 gal.	5/8 20" apr. 30" w.
28	TR	Texas Sage 'Green Cloud'	<i>Leucophyllum holosericeum 'Green Cloud'</i>	9 gal.	5/8 20" apr. 38" w.
17	WM	Wax Myrtle	<i>Nyssa verticillata</i>	9 gal.	5/8 20" apr. 38" w.
GRASS					
		Bermuda Solid Soil	<i>Cynodon dactylon</i>	12' H., 2" spread, matching	

LANDSCAPE NOTES

- CONTRACTOR TO VERIFY AND LOCATE ALL PROPOSED AND EXISTING UTILITIES. NOTIFY LANDSCAPE ARCHITECT OR DESIGNATED REPRESENTATIVE FOR ANY LAYOUT DISCREPANCIES OR ANY CONDITION THAT WOULD PREVENT THE INSTALLATION AS SHOWN. SURVEY DATA OF EXISTING CONDITIONS ARE SUPPLIED BY THE OWNER.
- CONTRACTOR SHALL CALL 811 TO VERIFY AND LOCATE ANY AND ALL UTILITIES ON-SITE PRIOR TO COMMENCING WORK. LANDSCAPE ARCHITECT SHOULD BE NOTIFIED OF ANY CONFLICTS. CONTRACTOR TO EXERCISE EXTREME CAUTION WHEN WORKING NEAR UNDERGROUND UTILITIES.
- A MINIMUM OF 2% SLOPE SHALL BE PROVIDED AWAY FROM ALL STRUCTURES.
- CONTRACTOR SHALL FINE GRADE AREAS TO ACHIEVE FINAL CONTOURS AS INDICATED. LEAVE AREAS TO RECEIVE TOPSOIL 1" BELOW FINAL FINISHED GRADE. LEAVE AREAS AND 1" BELOW FINAL FINISHED GRADE IN LAWN AREAS.
- LANDSCAPE ISLANDS SHALL BE CROWNED, AND UNIFORM THROUGHOUT THE SITE.
- PLANTING AREAS AND SOG TO BE SEPARATED BY STEEL EDGING. NO STEEL EDGING SHALL BE INSTALLED ADJACENT TO BUILDINGS, WALKS OR DRIVEWAYS. EDGING NOT TO BE MORE THAN 1/2" ABOVE FINISHED GRADE. EDGING SHALL BE CUT AT 45 DEGREE ANGLE WHERE IT INTERSECTS WALKS AND/OR CURBS.
- MULCH SHALL BE INSTALLED AT 1" BELOW THE TOPS OF SIDEWALKS AND CURBS.
- QUANTITIES ON THESE PLANS ARE FOR REFERENCE ONLY. THE SPACING OF PLANTS SHOULD BE AS INDICATED ON PLANS OR OTHERWISE NOTED. ALL TREES AND SHRUBS SHALL BE PLANTED PER DETAIL.
- CONTAINER GROWN PLANT MATERIAL IS PERMITTED HOWEVER NOTED AND BURLAP PLANT MATERIAL CAN BE SUBSTITUTED IF NEEDED AND IS APPROXIMATE TO THE SIZE AND QUALITY INDICATED ON THE PLANT MATERIAL LIST.
- TREES SHALL BE PLANTED AT A MINIMUM OF 1' FROM ANY UTILITY LINE, SIDEWALK OR CURB. TREES SHALL ALSO BE 1' CLEAR FROM FIRE HYDRANTS.
- 4" OF 3/8" RIBBED HARDWOOD MULCH (2" SETTLED THICKNESS) SHALL BE PLACED OVER WEED BARRIER FABRIC. MULCH SHALL BE SPREADED HANDWORK MULCH OR APPROVED EQUIV. FINE STRAW MULCH IS PROHIBITED.
- WEED BARRIER FABRIC SHALL BE USED IN PLANT BEDS AND AROUND ALL TREES AND SHALL BE MINIM 1/8" WEEED BARRIER OR APPROVED EQUAL.
- CONTRACTOR TO PROVIDE UNIT PRICING OF LANDSCAPE MATERIALS AND BE RESPONSIBLE FOR OBTAINING ALL LANDSCAPE AND IRRIGATION MATERIALS.

MISCELLANEOUS MATERIALS:

- STEEL EDGING SHALL BE 3/16" X 4 X 12' DARK GREEN DURADEK STEEL LANDSCAPE EDGING UNLESS NOTED OTHERWISE ON PLANS/DETAILS.

PRUNING AND TRIMMING NOTES

- CONTRACTOR SHALL PRUNE ALL EXISTING TREES ON-SITE USING STANDARD GUIDELINES IN THE INDUSTRY.
- ALL TREES SHALL BE TRIMMED THAT NATURAL SHAPES OF THE PLANTS ARE RETAINED.
- DO NOT "TOP" OR "HEAD" TREES.
- IF BALANCING OR BRANCHING HAS OCCURRED IN THE PAST, DISCONTINUE THIS PRACTICE AND ALLOW PLANTS TO GROW INTO NATURAL SHAPE.
- REMOVE SUCKERS, DEAD, DYING, DAMAGED, BROKEN AND / OR WEAK BRANCHES FROM ALL TREES ALONG THE MAIN TRUNK STRUCTURE AND WITHIN THE BRANCHING AREA.
- CONTRACTOR SHALL PRUNE EXISTING DECIDUOUS HARDWOOD BY REMOVING LOWER LIMBS TO RAISE THE CANOPY. THE BOTTOM OF THE CANOPY SHALL BE RAISED TO 12" OF ABOVE GRADE FOR DECIDUOUS HARDWOOD TREES, WHEN POSSIBLE. THE INTEGRITY OF THE CANOPY AND STRUCTURE OF THE TREE SHALL BE MAINTAINED. DO NOT CUT OR PRUNE CENTRAL LEADERS.
- CONTRACTOR SHALL TRIM THE CANOPY BY ONE-FOURTH. PRUNE TREE TO EVENLY SPACE BRANCHES WITHIN THE CANOPY WHENEVER POSSIBLE. REMOVE THOSE LIMBS THAT CROSS OTHERS, DOUBLE LEADERS AND THOSE THAT EXCESSIVELY EXCEED BEYOND THE NATURAL CROWN OF THE TREE.
- CONTRACTOR SHALL PROVIDE DBP ROOT FEEDING AND INVOIGATOR OF EXISTING TREES. THIS SHALL BE ORGANIC BASED NUTRIENTS BASED FOR ROOT GROWTH AND LEAF GROWTH ESTABLISHMENT. CONTRACTOR SHALL BE REQUIRED TO CHIP ALL REMOVED BRANCHES, LEAFS, ETC.

Proposed Landscape Site Plan



Proposed Landscape Site Plan



Front of Convenience Store from pumps



Retail Shopping Area



Side of Retail Shopping with view to truck area



Truck pumps and parking

Project Highlights– Community

- **Developers other properties offer free coffee to law enforcement to encourage community involvement and support.**
- **No overnight truck parking at this location.**
- **Robust landscaping plan to enhance and beautify the area**
- **Creation of new job opportunities**
- **New retail shopping area to support businesses coming to Schertz.**

Thank you

CHERYL CHINEN | BROKER, DRG | 832-392-5644

CITY COUNCIL MEMORANDUM

City Council Meeting: January 9, 2024

Department: Planning & Community Development

Subject: Ordinance 23-S-33 - Approving a request for a Specific Use Permit to allow a truck terminal on approximately 4 acres of land located approximately 660-feet west from the intersection of Baugh Lane and Schwab Road, also known as Comal Property Identification Number 464879, City of Schertz, Comal County, Texas.
Final Reading (B.James/L.Wood/D.Marquez)

BACKGROUND

The applicant is requesting a Specific Use Permit to allow a truck terminal on approximately 4 acres of land, approximately 660-feet west from the intersection of Baugh Lane and Schwab Road, City of Schertz, Comal County, Texas. The subject property is undeveloped and zoned General Business District (GB). As per UDC Section 21.5.8, a Specific Use Permit is required for a truck terminal in General Business District (GB). More specifically, the applicant is proposing a truck terminal that consists of truck parking with a gate and monitored gate shack.

Two (2) public hearing notices were mailed to surrounding property owners within two hundred (200) feet of the subject property on November 1, 2023. A public hearing notice was published in the San Antonio Express on November 29, 2023. At the time of this report, staff has received zero (0) responses in favor, zero (0) opposed, and zero (0) responses neutral to the proposed request. Additionally, one (1) Public Hearing Notice sign was placed on the property on November 3, 2023. The Planning and Zoning Commission conducted a public hearing on this item at the November 15, 2023, meeting. City Council conducted a public hearing on this item at the December 19, 2023, meeting.

GOAL

The proposed Specific Use Permit is to allow a truck terminal on approximately 4 acres of land located approximately 660-feet west from the intersection of Baugh Lane and Schwab Road.

COMMUNITY BENEFIT

It is the City's desire to promote safe, orderly, efficient development and ensure compliance with the City's vision of future growth.

SUMMARY OF RECOMMENDED ACTION

The applicant is proposing to construct a truck terminal with a gate and a monitored gate shack to serve the SYSCO development to the north of the property. Per the letter of intent, one access point is being proposed along Baugh Lane, which will be reviewed by the City of Schertz Engineering Department.

Directly to the north of the subject property is Baugh Lane right-of-way. To the west and south, the properties are both zoned General Business District (GB) and are currently undeveloped. The property to the east of the subject property is currently zoned General Business District (GB) with a Specific Use Permit for a convenience store with gas pumps and is developed as a QuickTrip.

UDC Section 21.5.11.D Criteria for Approval

1. The proposed use at the specified location is consistent with the policies embodied in the adopted Comprehensive Land Plan.

The subject property is designated as Commercial Campus. The Commercial Campus land use designation is intended to encourage development of lower intensity commercial and office uses in the location between major intersections as a buffer between the interstate highway and adjoining neighborhoods. The proposed truck terminal is not directly along IH-35 and acts as an additional buffer from the frontage to the existing SYSCO development.

2. The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations.

General Business District (GB) is intended to provide suitable areas for the development of non-residential uses that may include retail and service establishments that are generally oriented toward serving the overall needs of the community and are usually located along principal transportation corridors. The proposed development is for a truck terminal that will serve the existing SYSCO development to the north of the property. Additionally, the proposed truck terminal is located in proximity to IH-35, a principal transportation corridor.

3. The proposed use is compatible with and preserves the character and integrity of adjacent developments and neighborhoods, and includes improvements either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as safety, traffic, noise, odors, visual nuisances, drainage or other similar adverse effects to adjacent development and neighborhoods.

The proposed development is surrounded by adjacent General Business District (GB) to the east, west, and south with Manufacturing District (Light) (M-1) to the north, and is compatible with the existing development. The proposed truck terminal will be required to meet all current City of Schertz site development standards stipulated in Unified Development Code (UDC) Article 9. Article 9 is in place to ensure adverse effects of development are minimized and mitigated on neighboring properties.

4. The proposed use does not generate pedestrian and vehicular traffic which will be hazardous or conflict with the existing and anticipated traffic in the neighborhood.

The proposed development is proposing one point of access along Baugh Lane. All proposed access points will be reviewed by the City of Schertz Engineering Department.

5. The proposed use incorporates roadway adjustments, traffic control devices or mechanisms, and access restrictions to control traffic flow or divert traffic as may be needed to reduce or eliminate development generated traffic on neighborhood streets

Access to the subject property will be along Baugh Lane. The proposed access points will be reviewed by the City of Schertz Engineering Department.

6. The proposed use incorporates features to minimize adverse effects, including visual impacts, of the proposed use on adjacent properties.

The proposed development will have to meet all site development requirements in Article 9 of the Unified Development Code. The adjacent properties are zoned General Business District and Manufacturing (Light) District and are not currently being used for single-family residential. As a result, no additional screening requirements for residential use will be required.

7. The proposed use meets the standards for the zoning district, or to the extent variations from such standards have been requested, that such variations are necessary to render the use compatible with adjoining development and the neighborhood.

The proposed development will have to meet all dimensional and design requirements of the General

Business District as mentioned in UDC Section 21.5.7. No variations to the requirements have been requested.

8. The proposed [use] promotes the health, safety or general welfare of the City and the safe, orderly, efficient and healthful development of the City. As part of promoting health, safety and welfare, the City should encourage development compatible with surrounding uses utilizing standards and transitional uses to alleviate negative impacts.

Given the existing General Business and Manufacturing (light) zoning of surrounding properties, access from Baugh Lane, and the proposed use servicing an existing use, the proposed truck terminal would not pose an adverse impact on adjacent properties.

9. No application made under these provisions will receive final approval until all back taxed owed to the City have been paid in full.

This does not impact the first reading from Council.

10. Other criteria which, at the discretion of the Planning and Zoning Commission and City Council deemed relevant and important in the consideration of the Specific Use Permit.

Staff has ensured all UDC requirements have been met for the Specific Use Permit, and at this time have not received any special considerations from the Planning and Zoning Commission or the City Council.

RECOMMENDATION

A Specific Use Permit allows for discretionary City Council approval of uses with unique or widely varying operating characteristics or unusual site development features, subject to the terms and conditions set forth in this UDC. Approval of a Specific Use Permit authorizes a property owner to submit subsequent development applications consistent with the approved Specific Use Permit.

City Council conducted a public hearing on December 19, 2023, and made a motion to approve with the condition that a building permit is approved within two years of the adoption of the Specific Use Permit with a 7-0 vote.

The Planning and Zoning Commission conducted a public hearing on November 15, 2023, and offered a recommendation of approval with the condition that a building permit is approved within two years of the adoption of the Specific User Permit Ordinance.

Staff recommends approval of the Specific Use Permit to allow a truck terminal at the subject property conditioned upon the following:

1. A building permit is approved within two (2) years of the adoption of the Specific Use Permit Ordinance in accordance with Unified Development Code Article 5, Section 21.5.11.F Expiration of Specific Use Permit.

Attachments

Ordinance 23-S-33 With ATT

Aerial Exhibit

Public Hearing Notice Map

City Council Presentation Slides

ORDINANCE NO. 23-S-33

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS TO APPROVE A SPECIFIC USE PERMIT TO ALLOW FOR A TRUCK TERMINAL ON APPROXIMATELY 4 ACRES OF LAND, LOCATED APPROXIMATELY 660-FEET WEST OF THE INTERSECTION OF BAUGH LANE AND SCHWAB ROAD, COMAL COUNTY PROPERTY IDENTIFICATION NUMBER 464879, SCHERTZ, COMAL COUNTY, TEXAS.

WHEREAS, an application for a Specific Use Permit to allow a truck terminal on approximately 4 acres of land, located approximately 660-feet west from the intersection of Baugh Lane and Schwab Road, also known as Comal County Property ID 464879, more specifically described in the Exhibit A and Exhibit B attached (herein, the “Property”) has been filed with the City; and

WHEREAS, the City’s Unified Development Code Section 21.5.11. D. provides for certain criteria to be considered by the Planning and Zoning Commission in making recommendations to City Council and by City Council in considering final action on a requested specific use permit (the “Criteria”); and

WHEREAS, on November 15, 2023, the Planning and Zoning Commission conducted a public hearing and, after considering the Criteria, made a recommendation to City Council to approve the Specific Use Permit for a Truck Terminal; and

WHEREAS, on December 19, 2023, the City Council conducted a public hearing and after considering the Criteria and recommendation by the Planning and Zoning Commission, determined that the requested Specific Use Permit be approved as provided for herein.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS THAT:

Section 1. A Specific Use Permit for Comal County Property Identification Number 464879, more particularly described in the attached Exhibit A and Exhibit B, is hereby approved to allow a Truck Terminal conditioned upon the following occurring:

- a) A building permit is approved within two (2) years of the adoption of the SUP Ordinance in accordance with Unified Development Code Article 5, Section 21.5.11.F Expiration of Specific Use Permit.

Section 2. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

Section 3. All ordinances and codes, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.

Section 4. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City hereby declares that this Ordinance would have been enacted without such invalid provision.

Section 6. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

Section 7. This Ordinance shall be effective upon the date of final adoption hereof and any publication required by law.

Section 8. This Ordinance shall be cumulative of all other ordinances of the City of Schertz, and this Ordinance shall not operate to repeal or affect any other ordinances of the City of Schertz except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which event such conflicting provisions, if any, are hereby repealed.

PASSED ON FIRST READING, the ____ day of _____ 2023.

PASSED, APPROVED and ADOPTED ON SECOND READING, the ____ day of _____, 2024.

CITY OF SCHERTZ, TEXAS

Ralph Gutierrez, Mayor

ATTEST:

Sheila Edmondson, City Secretary

(city seal)

Exhibit "A"
Property Description



WINDROSE
LAND SURVEYING | PLATTING

**DESCRIPTION OF
4.015 ACRES OR 174,870 SQ. FT.**

A TRACT OR PARCEL CONTAINING 4.015 ACRES OR 174,870 SQUARE FEET OF LAND, SITUATED IN THE CARROL M. GAHAGAN JR. SURVEY NO. 258, ABSTRACT NO. 182 AND THE JUAN FRANCISCO ZEPEDA SURVEY NO. 257, ABSTRACT NO. 658, COMAL COUNTY, BEING OUT OF A CALLED 25.185 ACRE TRACT, CONVEYED TO SAN ANTONIO ONE LIMITED PARTNERSHIP, AS RECORDED IN VOL. 803, PG. 781, OF THE COMAL COUNTY DEED RECORDS (C.C.D.R.), WITH SAID 4.015 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, WITH ALL BEARINGS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (NAD83):

COMMENCING AT A 5/8 INCH IRON ROD FOUND FOR THE WEST CORNER OF A CALLED BAUGH LANE (60' WIDTH), AS RECORDED IN PLAT DOCUMENT NO. 201006026626, OF THE COMAL COUNTY PLAT RECORDS (C.C.P.R.), AND AN INTERIOR CORNER OF LOT 2, BLOCK 2, SYSCO-CENTRAL TEXAS, PLAT DOCUMENT NO. 201006026626, C.C.P.R.;

THENCE, NORTH 88 DEG. 24 MIN. 59 SEC. EAST, OVER AND ACROSS SAID BAUGH LANE, A DISTANCE OF 122.00 FEET, TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE" SET ON THE SOUTH LINE OF SAID BAUGH LANE, BEING THE WEST CORNER OF LOT 1, BLOCK 2, QT 4032, AS RECORDED IN PLAT DOCUMENT NO. 202106053844, C.C.P.R., BEING THE NORTHEAST CORNER AND **POINT OF BEGINNING** OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 31 DEG. 02 MIN. 26 SEC. EAST, WITH THE WEST LINE OF LOT 1 AND LOT 2, OF SAID QT 4032, A DISTANCE OF 335.00 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE" SET FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, OVER AND ACROSS AFORESAID 25.185 ACRE TRACT, THE FOLLOWING THREE (3) COURSES AND DISTANCES:

SOUTH 58 DEG. 57 MIN. 34 SEC. WEST, A DISTANCE OF 522.00 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE" SET FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

NORTH 31 DEG. 02 MIN. 26 SEC. WEST, A DISTANCE OF 335.00 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE" SET FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

NORTH 58 DEG. 57 MIN. 34 SEC. EAST, A DISTANCE OF 522.00 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 4.015 ACRES OR 174,870 SQUARE FEET OF LAND, AS SHOWN ON JOB NO. 57659, PREPARED BY WINDROSE LAND SERVICES, INC.



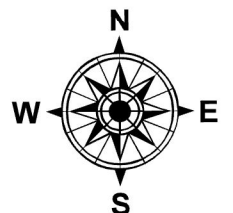
ROBERT KNESS
R.P.L.S. NO. 6486
STATE OF TEXAS
FIRM REGISTRATION NO. 10108800

5-12-2022
DATE:

Exhibit "B"
Specific Use Permit Exhibit

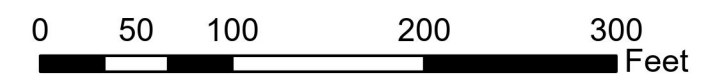


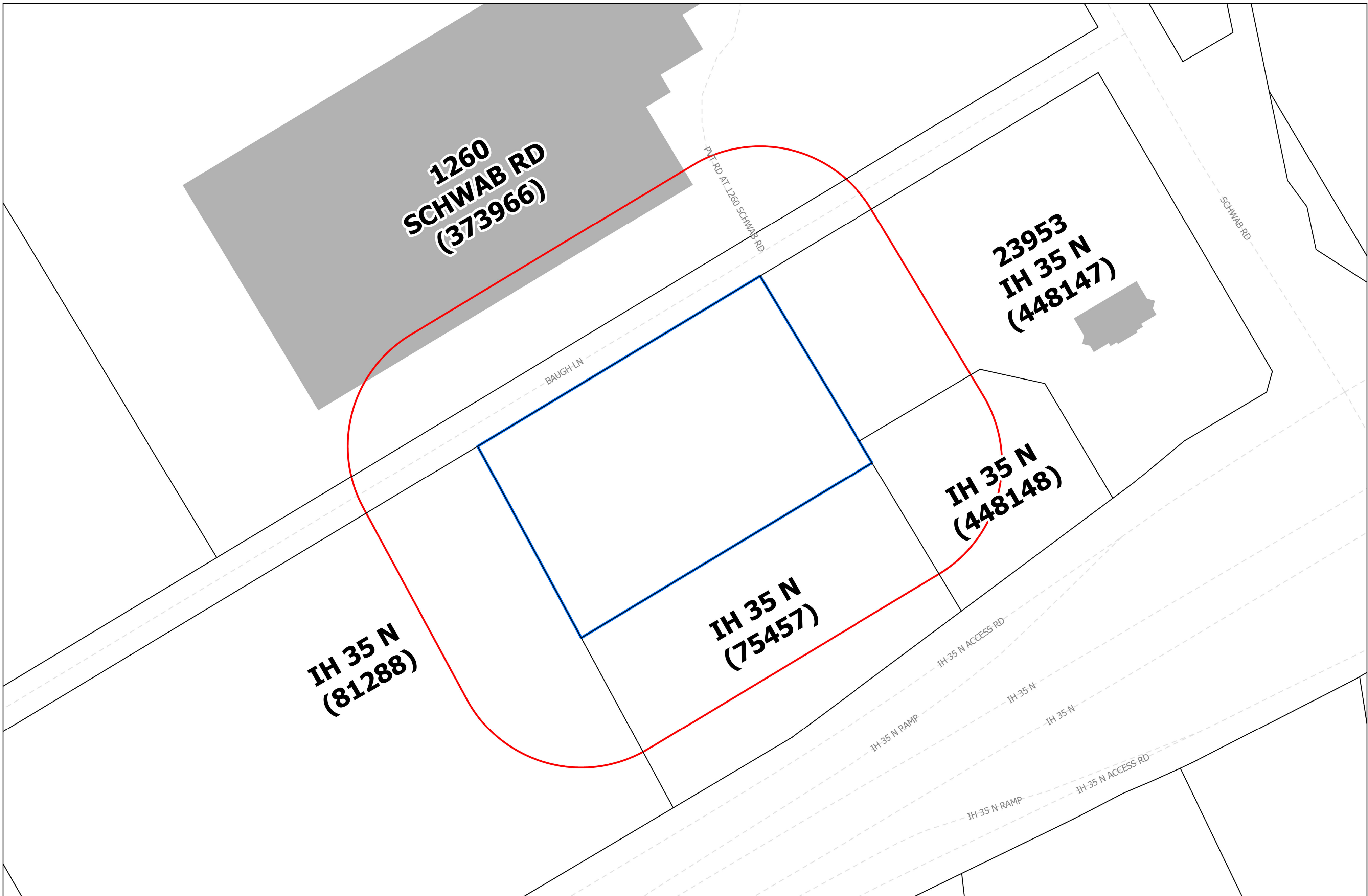
SYSCO OVERFLOW LOT
(PLSPU20230247)



SCHIERTZ
COMMUNITY • SERVICE • OPPORTUNITY

<ul style="list-style-type: none"> Highways Major Roads Minor Roads 	<ul style="list-style-type: none"> Freeway Principal Arterial Planned Principal Arterial Secondary Arterial Planned Secondary Arterial Secondary Rural Arterial 	<ul style="list-style-type: none"> Planned Secondary Rural Arterial Residential Collector Planned Residential Collector Planned Commercial Collector B Commercial Collector A Planned Commercial Collector A 	<ul style="list-style-type: none"> 1" 2" 3" 4" 6" 8" 10" 12" 16" 18" Unknown 	<ul style="list-style-type: none"> 20" 24" 30" 36" 	<ul style="list-style-type: none"> Schertz Gravity Schertz Pressure Neighboring Gravity Private Pressure 	<ul style="list-style-type: none"> Hydrant Manholes CCMA Lift Station Private Lift Station Schertz Lift Station CCMA Treatment Plant Schertz Treatment Plant 	<ul style="list-style-type: none"> Project Boundary County Boundaries Schertz Municipal Boundary ETJ
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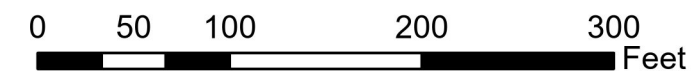
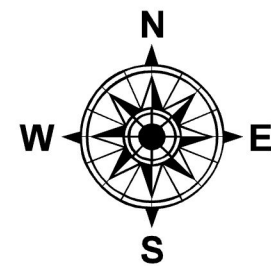


City of Schertz

SYSICO OVERFLOW LOT
(PLSPU20230247)

 200' Buffer

 Project Area



Ordinance No: 23-S-33

Specific Use Permit for a Truck Terminal (4 acres)

Daisy Marquez | PLANNER



373966
SYSCO CENTRAL
TEXAS

448147
QT-SOUTH
LLC

448148
QT-SOUTH
LLC

81288
SAN ANTONIO
ONE LTD PTNSHP

75457
SAN ANTONIO
ONE LTD PTNSHP



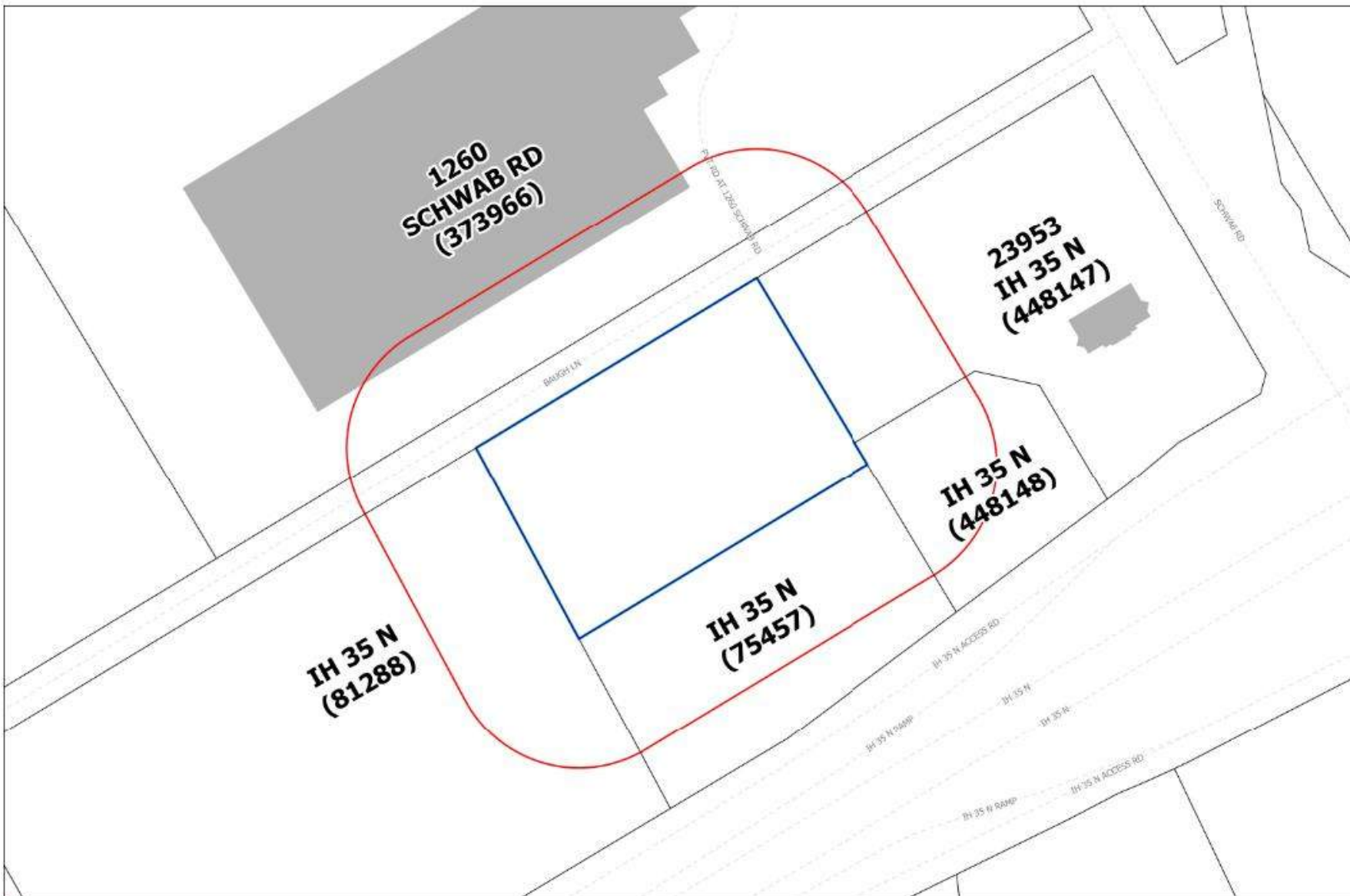
SCHERTZ
COMMUNITY • SERVICE • OPPORTUNITY

SYSCO OVERFLOW LOT
(PLSPU20230247)

<ul style="list-style-type: none"> Highways Major Roads Minor Roads 	<ul style="list-style-type: none"> Freeway Principal Arterial Planned Principal Arterial Secondary Arterial Planned Secondary Arterial Secondary Rural Arterial 	<ul style="list-style-type: none"> Planned Residential Principal Arterial Residential Collector Planned Residential Collector Planned Residential Collector B Commercial Collector A Planned Commercial Collector A 	<ul style="list-style-type: none"> 1" 2" 3" 4" 6" 8" 10" 12" 15" 18" 24" 30" 36" 48" 60" Unknown 	<ul style="list-style-type: none"> Schertz Gravity Schertz Pressure Neighboring Gravity Private Procedure 	<ul style="list-style-type: none"> Hydrant Manhole CDMS Lift Station Private Lift Station Schertz Lift Station CDMS Treatment Plant Schertz Treatment Plant 	<ul style="list-style-type: none"> Project Boundary County Jurisdiction Island Municipal Boundary ETD
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SCHERTZ
COMMUNITY. SERVICE. OPPORTUNITY.



- November 1: 4 public hearing notices mailed
- November 29, 2023: Public Hearing published in San Antonio Express
- Responses Received:
 - 0- Opposition
 - 0- In Favor
 - 0- Neutral

1 Sign was posted on the property.

Proposed SUP

- Applicant is requesting a Specific Use Permit (SUP) to allow a Truck Terminal on the approximately 4 acres.
- UDC Section 21.5.8 requires an SUP for a Truck Terminal in General Business District.



•Subject Property zoned
General Business (GB)

Existing Zoning		Land Use
North	Right of Way	Baugh Lane
South	General Business District (GB)	Undeveloped/ Vacant
East	General Business District (GB)	Undeveloped/ Vacant
West	General Business District (GB)	Undeveloped/ Vacant

Proposed SUP

- UDC Section 21.5.8 requires an SUP for a Truck Terminal in General Business District.
- Per the submitted Letter of Intent, if the SUP is approved the development would consist of:
 - A gated truck terminal
 - Approximately 20 square foot gate shack to monitor activity on the site
- Specific Use Permit is approved, the applicant will have to go through the site plan process in conformance with UDC Section 21.9.12 and will have to meet all City of Schertz UDC requirements as listed in Article 9.

UDC Section 21.5.11.D Criteria for Approval

1. The proposed use at the specified location is consistent with the policies embodied in the adopted Comprehensive Land Plan.

The subject property is designated as Commercial Campus. The Commercial Campus land use designation is intended to encourage development of lower intensity commercial, and office uses in the location between major intersections as a buffer between the interstate highway and adjoining neighborhoods. The proposed truck terminal is not directly along IH-35 and acts as an additional buffer from the frontage to the existing SYSCO development.



Commercial Campus

Highway Commercial

Industrial

UDC Section 21.5.11.D Criteria for Approval

2. The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations.

General Business District (GB) is intended to provide suitable areas for the development of non-residential uses that may include retail and service establishments that are generally oriented toward serving the overall needs of the community and are usually located along principal transportation corridors. The proposed development is for a truck terminal that will serve the existing SYSCO development to the north of the property. Additionally, the proposed truck terminal is located in proximity to IH-35, a principal transportation corridor.

UDC Section 21.5.11.D Criteria for Approval

3. The proposed use is compatible with and preserves the character and integrity of adjacent developments and neighborhoods and includes improvements either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as safety, traffic, noise, odors, visual nuisances, drainage or other similar adverse effects to adjacent development and neighborhoods.

The proposed development is surrounded by adjacent General Business District (GB) to the east, west, and south with Manufacturing District (Light) (M-1) to the north and is compatible with the existing development. The proposed truck terminal will be required to meet all current City of Schertz site development standards stipulated in Article 9. Article 9 is in place to ensure adverse effects of development are minimized and mitigated on neighboring properties.

UDC Section 21.5.11.D Criteria for Approval

4. The proposed use does not generate pedestrian and vehicular traffic which will be hazardous or conflict with the existing and anticipated traffic in the neighborhood.

The proposed development is proposing one point of access along Baugh Lane. All proposed access points will be reviewed by the City of Schertz Engineering department.

5. The proposed use incorporates roadway adjustments, traffic control devices or mechanisms, and access restrictions to control traffic flow or divert traffic as may be needed to reduce or eliminate development generated traffic on neighborhood streets.

Access to the subject property will be along Baugh Lane. The proposed access points will be reviewed by the City of Schertz Engineering department.

UDC Section 21.5.11.D Criteria for Approval

6. The proposed use incorporates features to minimize adverse effects, including visual impacts, of the proposed use on adjacent properties.

The proposed development will have to meet all site development requirements in Article 9 of the Unified Development Code. The adjacent properties are zoned General Business and Manufacturing (Light) and are not being currently used for single-family residential. As a result, no additional screening requirements for residential use will be required.

7. The proposed use meets the standards for the zoning district, or to the extent variations from such standards have been requested, that such variations are necessary to render the use compatible with adjoining development and the neighborhood.

The proposed development will have to meet all dimensional and design requirements of the General Business District as mentioned in UDC Section 21.5.7. No variations to the requirements have been requested.

UDC Section 21.5.11.D Criteria for Approval

8. The proposed [use] promotes the health, safety or general welfare of the City and the safe, orderly, efficient and healthful development of the City. As part of promoting health, safety and welfare, the City should encourage development compatible with surrounding uses utilizing standards and transitional uses to alleviate negative impacts.

As part of promoting health, safety and welfare, the City should encourage development compatible with surrounding uses utilizing standards and transitional uses to alleviate negative impacts. Given the existing General Business and Manufacturing (light) zoning of surrounding properties, access from Baugh Lane, and the proposed use servicing an existing use, the proposed truck terminal would not pose an adverse impact on adjacent properties.

9. No application made under these provisions will receive final approval until all back taxed owed to the City have been paid in full.

This does not impact consideration by P&Z or the first reading from Council.

10. Other criteria which, at the discretion of the Planning and Zoning Commission and City Council deemed relevant and important in the consideration of the Specific Use Permit.

Staff has ensured all UDC requirements have been met for the Specific Use Permit, and at this time have not received any special considerations from the Planning and Zoning Commission or the City Council.

P&Z Recommendation

- The Planning and Zoning Commission conducted a public hearing on November 15, 2023 and offered a recommendation of approval with the condition that a building permit is issued within two (2) years of the SUP ordinance approval.

City Council Motion

- City Council conducted a public hearing on December 19, 2023, and made a motion to approve with the condition that a building permit is issued within two (2) years of the SUP ordinance approval with a 7-0 vote.

Staff Recommendation

- Staff recommends approval of the Specific Use Permit to allow a truck terminal at the subject property conditioned upon the following:
 1. A building permit is approved within two years of the adoption of the SUP Ordinance.

COMMENTS & QUESTIONS

CITY COUNCIL MEMORANDUM

City Council Meeting: January 9, 2024
Department: City Manager/City Secretary
Subject: Resolution 24-R-03 - Authorizing the City Manager to accept employment as an adjunct professor pursuant to the requirements of the Employment Agreement between the City Manager and the City

BACKGROUND

St. Mary's University of San Antonio has offered me the opportunity to teach a class as a part of its Master of Public Administration program entitled, "The Management of Public Budgets." Since this arrangement will constitute outside employment and includes compensation for teaching the class, I am requesting your approval of the attached Resolution as required by Section 1.7 of my Employment Contract:

The Manager will devote full time and effort to the performance of the City Manager's Duties and shall remain in the exclusive employ of the City during the Term of this Agreement; provided that, with the prior consent of the Council, the Manager may accept outside professional employment which does not interfere with the Manager performing the City Manager's Duties hereunder. The term "outside professional employment" means professional services provided to third parties for which the Manager is compensated and which are performed on the Manager's time off.

The class will be for the Spring 2024 semester on Wednesday evenings from 6:00 PM to 9:00 PM, and I do not anticipate that it will conflict with my duties as City Manager.

GOAL

To give back to the profession of professional city management but will also serve to expose emerging and mid-career professionals to the City of Schertz; thus, furthering one of my stated goals, which is to raise the profile of our organization among potential candidates for future employment.

COMMUNITY BENEFIT

I believe that this is an opportunity to not only give back to the profession of professional city management but will also serve to expose emerging and mid-career professionals to the City of Schertz; thus, furthering one of my stated goals, which is to raise the profile of our organization among potential candidates for future employment.

SUMMARY OF RECOMMENDED ACTION

Approve Resolution 24-R-03 to allow the City Manager to be employed as an Adjunct Professor.

RECOMMENDATION

Recommend approval of Resolution 24-R-03

Outside Employment Memo
Outside Employment Resolution

MEMORANDUM



TO: Mayor & City Council
FROM: Steve Williams, City Manager
DATE: January 2, 2024
SUBJECT: Request Approval of Outside Employment as an Adjunct Professor at St. Mary's University

St. Mary's University of San Antonio has offered me the opportunity to teach a class as a part of its Master of Public Administration program entitled, "The Management of Public Budgets." Since this arrangement will constitute outside employment and includes compensation for teaching the class, I am requesting your approval of the attached Resolution as required by Section 1.7 of my Employment Contract:

The Manager will devote full time and effort to the performance of the City Manager's Duties and shall remain in the exclusive employ of the City during the Term of this Agreement; provided that, with the prior consent of the Council, the Manager may accept outside professional employment which does not interfere with the Manager performing the City Manager's Duties hereunder. The term "outside professional employment" means professional services provided to third parties for which the Manager is compensated and which are performed on the Manager's time off.

The class will be for the Spring 2024 semester on Wednesday evenings from 6:00 PM to 9:00 PM, and I do not anticipate that it will conflict with my duties as City Manager. I believe that this is an opportunity to not only give back to the profession of professional city management but will also serve to expose emerging and mid-career professionals to the City of Schertz; thus, furthering one of my stated goals, which is to raise the profile of our organization among potential candidates for future employment.

RESOLUTION 24-R-___

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ TEXAS AUTHORIZING CITY MANAGER STEVE WILLIAMS TO ACCEPT OUTSIDE EMPLOYMENT AS AN ADJUNCT PROFESSOR PURSUANT TO THE REQUIREMENTS OF THE EMPLOYMENT AGREEMENT BETWEEN CITY MANAGER WILLIAMS AND THE CITY; ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the City Council of the City of Schertz (the "Council") and City Manager Steve Williams ("Manager") have entered into an employment agreement negotiated between the Council, on behalf of the City, and the Manager that is mutually beneficial to the City, the Manager, and the community they serve; and,

WHEREAS, the Manager has agreed to accept employment as the City Manager, subject to the terms, conditions and provisions of said Agreement; and,

WHEREAS, Section 1.7, HOURS OF WORK, of said Agreement provides that with the prior consent of the Council, the Manager may accept outside professional employment which does not interfere with the Manager performing the City Manager's Duties; and,

WHEREAS, the term "outside professional employment" means professional services provided to third parties for which the Manager is compensated and which are performed on the Manager's time off; and,

WHEREAS, the Manager has requested the formal consent of the Council to seek and accept outside professional employment as an adjunct professor at institutions of higher education within the San Antonio region, subject to the terms, conditions and provisions of the Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SCHERTZ TEXAS THAT:

Section 1. The City of Schertz City Council hereby consents to City Manager Steve Williams seeking and accepting outside professional employment as an adjunct professor at institutions of higher education within the San Antonio region, subject to the terms, conditions and provisions of the existing Employment Agreement and authorizes the Manager to provide the Council with a final schedule of days and times of said outside commitment when such is known. Such authorization shall remain for this specific outside professional employment throughout the term of the Manager's employment.

Section 2. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 3. All resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 4. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Resolution would have been enacted without such invalid provision.

Section 6. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 7. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED AND ADOPTED, this ____ day of _____, 2024.

CITY OF SCHERTZ

Ralph Gutierrez, Mayor

ATTEST:

Sheila Edmonson, City Secretary

CITY COUNCIL MEMORANDUM

City Council Meeting: January 9, 2024
Department: City Secretary
Subject: Ordinance 23-G-30 - Amending the City of Schertz Code of Ordinances creating a Reserve Police Force in accordance with statutory mandates. *Final Reading* (S.Williams/J.Lowery)

BACKGROUND

The Schertz Police Department has determined there is an operational need to utilize a reserve police force. In accordance with Texas Government Code 341.012 a City may establish a reserve police force and establish qualifications and standards of training for reserve force members. The City has previously adopted Chapter 66 of the Code of Ordinances, providing for the establishment of a police department. Thus, an amendment to Chapter 66 of the Code Ordinances for the establishment of a reserve police force is necessary to assist in preserving public safety of the City. Therefore, the Schertz Police Department is requesting authorization of a six member police reserve force and to authorize the Chief of Police to appoint reserve force members, subject to the approval of the City Council. All reserve officers must meet minimum Texas Commission on Law Enforcement standards and complete the same hiring process as required for full-time officers.

GOAL

Creation of a Reserve Police Officer program, maximum of six members, to assist the regularly constituted police force in the active and efficient civil defense program in the City. Reserve Police Officers will serve in such capacity without pay.

COMMUNITY BENEFIT

Enhancement of availability of certified and trained peace officer availability to assist with daily and/or special events at a substantial salary savings as reserve police officer work on a voluntary basis of pay.

SUMMARY OF RECOMMENDED ACTION

The Schertz Police Department has determined the use of reserve police officers would assist in daily and special event incidents, which includes augmenting security details at school events. Members of the reserve police force must at all times conform to rules and regulations of the police department, as approved by the City Council. Reserve police officers serve at the pleasure of the Chief of Police and may be dismissed from service with or without cause. The decision of the Chief of Police regarding dismissal is final, and there is no appeal process for reserve officers. Budgeted public funds for the reserve police force will be acquired from within the Police Department approved budget.

RECOMMENDATION

Approval of resolution to codify the creation and implementation of a police reserve force in Chapter 66 of Code of Ordinance in compliance with Texas Government Code 341.012.

Attachments



ORDINANCE NO. 23-G-30

AN ORDINANCE OF THE CITY OF SCHERTZ, TEXAS, AMENDING CHAPTER 66 OF THE CODE OF ORDINANCES OF THE CITY OF SCHERTZ, TEXAS; ESTABLISHING A RESERVE POLICE FORCE IN ACCORDANCE WITH TEXAS GOVERNMENT CODE SECTION 341.012; PROVIDING FOR PUBLICATION AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Schertz, Texas (“City”) is a Texas Home Rule Municipality acting under authority of its Charter and laws of the State of Texas; and

WHEREAS, the City has previously adopted Chapter 66 of the Code of Ordinances, providing for the establishment of a police department; and

WHEREAS, the City has determined a the need for a reserve police force to assist the regularly constituted police force in the active and efficient civil defense program in the City; and

WHEREAS, the City, in accordance with Texas Government Code Section 341.012 may establish a reserve police force and establish qualifications and standards of training for reserve force members; and

WHEREAS, the City may limit the size of the reserve force and authorize the chief of police to appoint reserve force members, subject to the approval of the City Council; and

WHEREAS, the City has determined that amending Chapter 66 of the Code of Ordinances for the establishment of a reserve police force is necessary to assist in preserving the public safety of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS, THAT:

Section 1. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. City Council hereby amends Chapter 66 of the City Code of Ordinances by adding Section 66-4 establishing the Reserve Police Force of the City of Schertz, as set forth in Exhibit “A” attached to this Ordinance.

Section 3. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

Section 4. All ordinances and codes, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.

Section 5. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 6. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City hereby declares that this Ordinance would have been enacted without such invalid provision.

Section 7. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

Section 8. This Ordinance shall be effective upon the date of final adoption hereof and any publication required by law.

PASSED ON FIRST READING, the ____ day of _____, 2023.

PASSED, APPROVED and ADOPTED ON SECOND READING, the ____ day of _____, 2024.

CITY OF SCHERTZ, TEXAS

Mayor, Ralph Gutierrez

ATTEST:

City Secretary, Sheila Edmondson

Exhibit "A"

Chapter 66 of the City of Schertz Code of Ordinances is hereby amended by adding Section 66-4 establishing the Reserve Police Force of the City of Schertz, as set forth below:

Sec. 66-4 - RESERVE POLICE FORCE

- (a) **Establishment; composition.** The city has established a reserve police force to function in addition to the regularly constituted police department of the city, the reserve to consist of not more than six members serving without pay.
- (b) **Purposes.** The purpose and necessity for the reserve police force is to assist in the creation of an active and efficient civil defense program in the city, and as an aid to the regularly constituted police department in the performance of assigned duties as set forth in this Code or as directed by the city council.
- (c) **Qualifications of members.**
- 1) All reserve officers must meet minimum Texas Commission on Law Enforcement standards and complete the same hiring process as required for full-time police officers.
 - 2) Members of the reserve police force must at all times conform to rules and regulations of the police department, as approved by the city council.
- (d) **Organization.** The reserve force and its members shall be under active control of the appointed full-time police chief, who shall exercise supervision over appointment, training and utilization of the reserve police force membership. Reserve officers serve at the pleasure of the police chief and may be dismissed from service with or without cause. The decision of the police chief regarding dismissals is final, and there is no appeal process for reserve officers.
- (e) **Badge, uniform, equipment and training.** Members of the reserve force, when on duty, shall wear the uniform and equipment prescribed by the police chief. Budgeted public funds in approved amounts will be utilized for necessary training, supplies, equipment maintenance and replacement thereof to the reserve police force.

CITY COUNCIL MEMORANDUM

City Council Meeting: January 9, 2024
Department: City Secretary
Subject: Boards, Commissions and Committees: Assign City Council Liaisons for Boards, Commissions and Committees.

BACKGROUND

Annually, the City Council has the opportunity to select which Board, Commission or Committee they would like to be the Council Liaison for.

The current assignments are as follows:

Mayor Gutierrez:

Audit Committee
Board of Adjustments
Investment Advisory Committee
Main Street Committee
Senior Center Advisory Board-Alternate

Councilmember Davis:

Interview Committee for Boards and Commissions
Main Street Committee - Chair
Parks & Recreation Advisory Board
Schertz Housing Authority Board
Transportation Safety Advisory
Commission TIRZ II Board

Councilmember Watson

Audit Committee
Library Advisory Board
Senior Center Advisory Board
Interview Committee for Boards and Commissions-Alternate
Cibolo Valley Local Government Corporation-Alternate

Councilmember Macaluso

Interview Committee for Boards and Commissions

Councilmember Heyward

Animal Advisory Commission
Audit Committee
Building and Standards Commission
Economic Development Corporation - Alternate
Investment Advisory Committee
Main Street Committee
Interview Committee for Boards and Commissions

Senior Center Advisory Board

Councilmember Brown

Economic Development Corporation

Main Street Committee

Schertz-Seguin Local Government Corporation -Board Member

Former Councilmember Whittaker and Dahle will stay on the TIRZ II Board

With the departure of Councilmembers Whittaker, Dahle and Scagliola, the following liaison positions are available:

Historical Preservation Committee

Interview Committee for Boards and Commissions

Cibolo Valley Local Government Corporation

Interview Committee for Boards and Commissions

Planning & Zoning Commission

Animal Advisory Commission - Alternate

Hal Baldwin Scholarship Committee

Schertz-Seguin Local Government Corporation

CITY COUNCIL MEMORANDUM

City Council Meeting: January 9, 2024

Department: Planning & Community Development

Subject: Ordinance 23-S-35 - Conduct a public hearing and consider a request to rezone approximately 65 acres of land from General Business District (GB) to Planned Development District (PDD), known as Comal County Parcel ID 75458 and Guadalupe County Parcel ID 64005, generally located southeast of the IH 35 and Schwab Road intersection, City of Schertz, Comal County and Guadalupe County, Texas. *First Reading* (B.James/L.Wood/S.Haas)

BACKGROUND

The applicant is requesting to rezone approximately 65 acres of land from General Business District (GB) to Planned Development District (PDD), to be known as the Schertz Gateway Planned Development District.

On November 3rd, 2023 twenty-seven (27) public hearing notices were mailed to the surrounding property owners within a 200-foot boundary of the subject property. At the time of the staff report, two (2) response in favor, zero (0) neutral, and fifty-eight (58) opposed have been received. A public hearing notice was published in the San Antonio Express on December 20, 2023. As of noon on Friday, December 29, 2023, written opposition by the owners of well over 20% of the property in the 200' notice area was received. Thus, a 3/4 vote of the Council is required to approve this rezoning request.

The Planning and Zoning Commission held a public hearing on November 15, 2023. Members of the public voiced concerns about increased residential density, infrastructure, and traffic. The Planning and Zoning Commission meeting can be viewed on the City's YouTube site. There was also expressed the desire to keep the property zoned General Business District (GB). The concerns are also outlined in the attached Public Hearing Responses and Additional Public Input.

After the Planning and Zoning Commission meeting, and based on consideration of the comments provided in writing and during the public hearing, staff is proposing some changes to the PDD. First, that GB-2 uses not be allowed in Area I but that a Convenience Store w/Gas Pumps be allowed by right. Additionally, the parking for the multi-family in Area II be required per the standards in the UDC. The changes recommended by the Planning and Zoning Commission have also been incorporated in the attached PDD.

GOAL

The Schertz Gateway PDD will be a mixture of commercial and residential uses. The development will be divided into three (3) separate "Areas". The uses and dimensional and design requirements are listed below.

Area I - Commercial/Retail

Area I will be abutting the IH 35 access road as well as Schwab Road. Area I will have enhanced landscaping requirements. Trees will be planted at a larger caliper, from 2" DBH (Diameter at Breast Height) as required in the UDC to 3" DBH. Also, a 15-foot landscape buffer shall be provided adjacent

to any public right of way. No masonry wall or fencing material shall be required adjacent to right of way in Area I

- Acres: 19.61
- Uses: General Business District (GB) as well as Convenience Stores with gas pumps.
- Dimensional and Design Requirements: General Business District (GB).

Schertz Gateway Area I Dimensional Requirements									
		Min. Lot Size			Setback*			Misc.	
Code	Classification	Area sf.	Width sf.	Depth sf.	Front ft.	Side ft.	Rear ft.	Max Ht.	Max Cover
GB	General Business	10,000	100	100	25	25, 0**	25, 0**	120	80%
*50 foot setback adjacent to IH 35 & 25 foot setback for other public right of way									
**Non-residential adjacent									

Area II - Multi-Family Residential

Area II will be located on the eastern portion of the property between Area I to the north and Area III to the south. Area II will have enhanced landscaping requirements. Trees will be provided at 11 trees per acre as opposed to the UDC requirement of 9 trees per acre, also these trees will be planted at a larger caliper, from 2" DBH (Diameter at Breast Height) as required in the UDC to 3" DBH. Also, a 15-foot landscape buffer shall be provided adjacent to any public right of way. Area II is proposed to be a denser style of multi-family development as it is closer to the retail of Area I and IH 35. As such, the proposed density being requested is up to 35 units per acre (vs 24) and the maximum height is 45' (vs 35').

- Acres: 14.8
- Uses: Multi-Family Residential District (R-4)
- Dimensional and Design Requirements: Multi-Family Residential District (R-4).

Schertz Gateway Area II Dimensional Requirements									
		Min. Lot Size			Setback			Misc.	
Code	Classification	Area sf.	Width sf.	Depth sf.	Front ft.	Side ft.	Rear ft.	Max Ht.	Max Cover
R-4	Multi-Family	10,000	100	100	25	10	20	45	75%
a. Maximum density shall not exceed 35 units per acre, maximum unit count of 518 units.									
b. Off-street parking requirements shall be one and a half (1.5) per bedroom, plus an additional 5% or two (2) spaces per unit, plus an additional 5%.									

Area III - Residential/Low-Density Multi-Family

Area III will be on the southern end of the property abutting the Cypress Point Subdivision. Area III will have enhanced landscaping requirements, including a 40-foot landscape buffer adjacent to the Cypress Point Subdivision. This will provide greater separation from the established single-family subdivision from the proposed development. Trees will be provided at 11 trees per acre as opposed to the UDC requirement of 9 trees per acre. Also, these trees will be planted at a larger caliper, from 2" DBH (Diameter at Breast Height) as required in the UDC to 3" DBH. Moreover, a 15-foot landscape buffer shall be provided adjacent to any public right of way. A six foot semi-open decorative fence may be provided adjacent to public right of way. The maximum density is limited to no more than 11 units per acre (vs 24).

- Acres: 29.92

- Uses: Multi-Family Residential District (R-4)
- Dimensional and Design Requirements: Multi-Family Residential District (R-4).

Schertz Gateway Area III Dimensional Requirements									
		Min. Lot Size			Setback			Misc.	
Code	Classification	Area sf.	Width sf.	Depth sf.	Front ft.	Side ft.	Rear ft.	Max Ht.	Max Cover
R-4	Multi-Family	10,000	100	100	25	10	20	35	75%
a. Maximum density shall not exceed 10 units per acre, maximum unit count of 299 units. b. Off-street parking requirements shall conform to city's Multi-Family Residential (R-4) requirements; 2 per unit plus additional 5%.									

COMMUNITY BENEFIT

It is the City’s desire to promote safe, orderly, efficient development and ensure compliance with the City’s vision of future growth.

SUMMARY OF RECOMMENDED ACTION

When analyzing Planned Development District applications, staff uses the criteria laid out in our Unified Development Code Section 21.5.10.F:

1. Whether the proposed PDD implements the policies of the adopted Comprehensive Land Plan.

Area I of the proposed PDD is proposed for commercial use, adjacent to IH 35, and does conform with the stated Highway Commercial and Commercial Campus classifications on the Future Land Use Map. Area II and Area III are located in areas listed as Single Family Residential. The description of Single Family Residential in the Comprehensive Plan indicates that "the Single Family Residential use may include a mix of residential uses" not a mix of single family residential uses. As such some multi-family is consistent with this language. Further the Comprehensive Plan has a goal to "Achieve an efficient, diverse and balanced pattern of land uses within the City and the ETJ." and objective of providing "an appropriate mix of different land use types in suitable locations, densities and patterns consistent with the goals and objectives established in the Plan" which this would do in both Area II and Area III. Finally, the plan states that "Housing should be developed to meet all needs of the community in terms of affordability, availability, adequacy and accessibility. Commercial Retail and Office" Multifamily housing helps to meet this need, especially in light of the rapidly increased cost of housing that has been discussed over the past few years. For these reasons both areas conform with the land use classification of Single Family Residential.

2. Whether the proposed PDD promotes the health, safety, or general welfare of the City and the safe, orderly, efficient and healthful development of the City.

As part of promoting health, safety and welfare, the City should encourage development compatible with surrounding uses utilizing standards and transitional uses to alleviate negative impacts. Given the IH 35 corridor adjacent to the subject property, the proposed commercial in Area I is more appropriate adjacent to the right of way; also multi-family provides a better transition from the right of way and commercial than single family detached lots.

3. Whether the uses permitted by the proposed change in zoning district classification and the standards applicable to such uses will be appropriate in the immediate area of the land to be reclassified.

The site development standards in the UDC for commercial and multi-family development and the use of commercial and multifamily are appropriate and in fact seem to be the best in light of the significant

variation in terms of zoning and land uses - single family residential, commercial and industrial.

4. Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers or other public services and utilities to the area.

As the Comprehensive Plan notes, as development matures in undeveloped areas, higher densities should be considered. Given the location of the subject property along the IH 35 right of way and the proximity of development, the city's various plans and infrastructure projects assume higher intensity development in this area, this includes a planned East-West Connector and improvements to Schwab Road in the Master Thoroughfare Plan. To the best of staff's knowledge, this change does not conflict with the SCUCISD or Comal ISD school district's plans, including the 10-year campus forecasting. However, a public hearing notice was mailed to each school district along with surrounding property owners.

5. The extent to which the proposed PDD will result in a superior development than could be achieved through conventional zoning.

The proposed PDD will have enhanced landscaping and tree planting requirements. Additionally, the scope and scale of the proposed development will see improvements to Schwab Road and Froboese Lane. The proposed development will also provide an opportunity for a mixture of uses within the same district, along with multifamily flexibility that differs from the base zoning district.

6. Whether all of the applicant's back taxed owed to the City have been paid in full (no application will receive final approval until all back taxes are paid in full).

This does not impact consideration by City Council.

7. Whether other criteria are met, which, at the discretion of the Planning and Zoning Commission and the City Council, are deemed relevant and important in the consideration of the amendment.

The upcoming public hearing will provide a format in which City Council may hear other potential issues and public opinion. The council may deem relevant and important considerations to inform their decision.

RECOMMENDATION

The Engineering, Fire, Public Works, Parks, and Planning Departments have reviewed the proposed PDD standards and requirements with no objection.

Therefore, Staff is recommending approval of the proposed zone change to Planned Development District as discussed.

The Planning and Zoning Commission met on November 15, 2023, and made a recommendation of approval with a 5-1 vote with Chairman Outlaw voting nay. The approval had conditions that the base Multi-family Residential District (R-4) setbacks were to be used in Area III, along with a greater side building setback abutting the Cypress Point Subdivision.

Attachments

Ordinance 23-S-35 w attachments

Aerial Exhibit

Public Hearing Notice Map

Public Hearing Responses

Additional Public Input

ORDINANCE NO. 23-S-35

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AMENDING THE OFFICIAL ZONING MAP BY REZONING APPROXIMATELY 65 ACRES OF LAND FROM GENERAL BUSINESS DISTRICT (GB) TO PLANNED DEVELOPMENT DISTRICT (PDD), KNOWN AS COMAL COUNTY PARCEL ID 75458 AND GUADALUPE COUNTY PARCEL ID 64005 GENERALLY LOCATED SOUTHEAST OF THE IH 35 AND SCHWAB ROAD INTERSECTION, CITY OF SCHERTZ, COMAL COUNTY AND GUADALUPE COUNTY, TEXAS.

WHEREAS, an application to rezone approximately 65 acres of land from General Business District (GB) to Planned Development District (PDD) located southeast of the IH 35 and Schwab Road intersection, and more specifically described in the Exhibit A attached herein (herein, the “Property”) has been filed with the City; and

WHEREAS, the City’s Unified Development Code Section 21.5.4.D. provides for certain criteria to be considered by the Planning and Zoning Commission in making recommendations to City Council and by City Council in considering final action on a requested zone change (the “Criteria”); and

WHEREAS, the proposed rezoning request is in conformance with the City’s Comprehensive Plan, and

WHEREAS, the proposed rezoning request is determined to meet the criteria outlined in the City’s Unified Development Code Section 21.5.4.D.

WHEREAS, on November 15, 2023, the Planning and Zoning Commission conducted a public hearing and, after considering the Criteria, made a recommendation to City Council to approve the requested rezoning Planned Development District (PDD) in accordance with the development standards set forth in Exhibit B attached herein; and

WHEREAS, on January 9, 2024, the City Council conducted a public hearing and after considering the Criteria and recommendation by the Planning and Zoning Commission, determined that the requested zoning be approved as provided for herein.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS THAT:

Section 1. The Property as shown and more particularly described in the attached Exhibit A, is hereby zoned Planned Development District (PDD) as described in the attached Exhibit B.

Section 2. The Official Zoning Map of the City of Schertz, described and referred to in Article 2 of the Unified Development Code, shall be revised to reflect the above amendment.

Section 3. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

Section 4. All ordinances and codes, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.

Section 5. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 6. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City hereby declares that this Ordinance would have been enacted without such invalid provision.

Section 7. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

Section 8. This Ordinance shall be effective upon the date of final adoption hereof and any publication required by law.

Section 9. This Ordinance shall be cumulative of all other ordinances of the City of Schertz, and this Ordinance shall not operate to repeal or affect any other ordinances of the City of Schertz except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which event such conflicting provisions, if any, are hereby repealed.

PASSED ON FIRST READING, the ____ day of _____ 2024.

PASSED, APPROVED and ADOPTED ON SECOND READING, the _____ day of _____ 2024.

CITY OF SCHERTZ, TEXAS

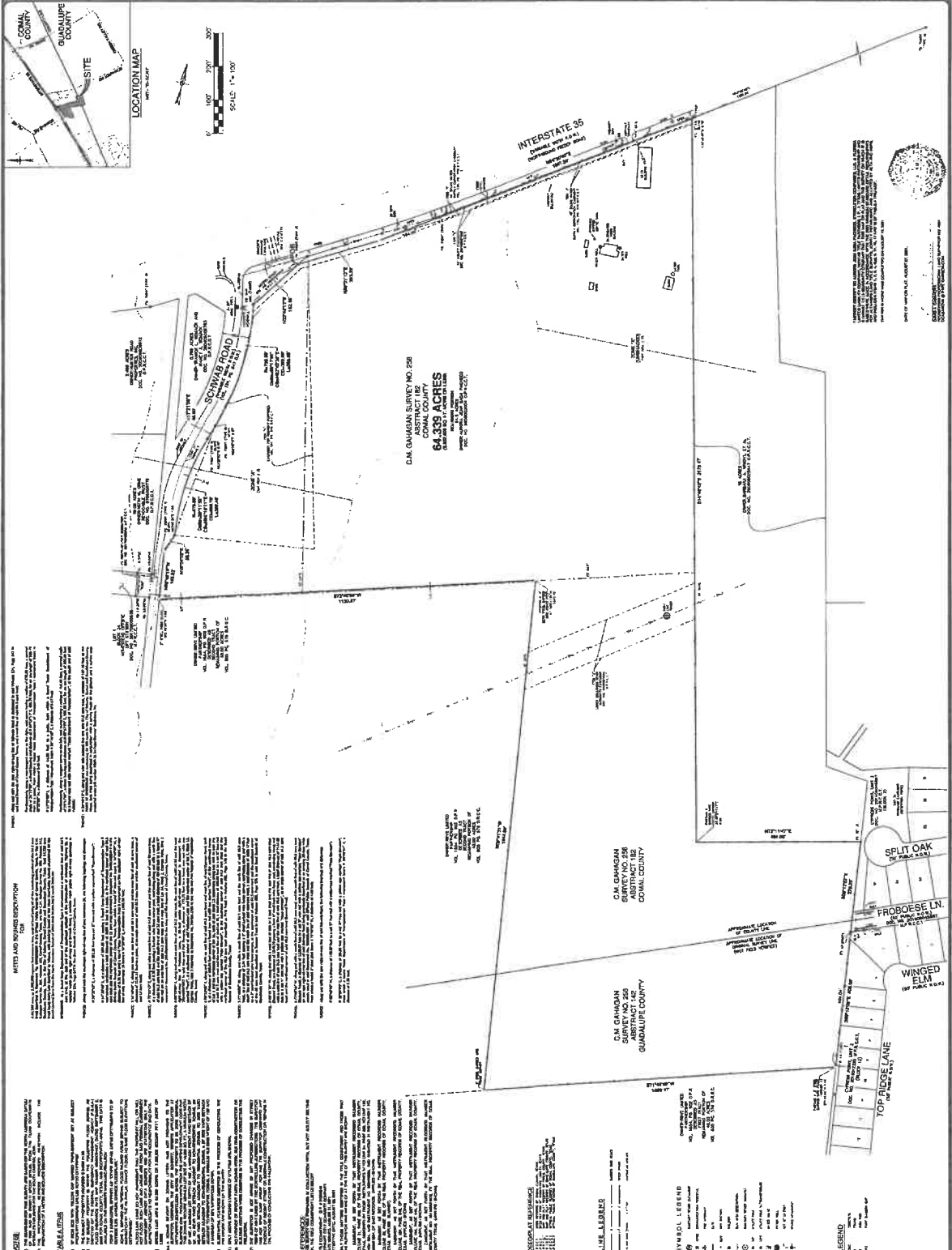
Ralph Gutierrez, Mayor

ATTEST:

Sheila Edmondson, City Secretary

(city seal)

Exhibit A
The Property



NOTES:

1. THIS SURVEY WAS MADE BY THE METHOD OF TRIANGULATION AND THE DISTANCES WERE MEASURED BY THE STATIONING METHOD.
2. THE BEARINGS AND DISTANCES WERE MEASURED BY THE METHOD OF TRIANGULATION AND THE DISTANCES WERE MEASURED BY THE STATIONING METHOD.
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10. THE BEARINGS AND DISTANCES WERE MEASURED BY THE METHOD OF TRIANGULATION AND THE DISTANCES WERE MEASURED BY THE STATIONING METHOD.

SYMBOL LEGEND

- 1. BOUNDARY LINE
- 2. CORNER MARKER
- 3. CENTER LINE
- 4. EASEMENT
- 5. RIGHT-OF-WAY
- 6. ADJACENT SURVEY
- 7. ADJACENT COUNTY
- 8. ADJACENT STATE
- 9. ADJACENT FEDERAL
- 10. ADJACENT PRIVATE

SCALE: 1" = 100'

LOCATION MAP: COAL COUNTY, SANDLIFE COUNTY, MISSOURI

PROJECT NAME: PACHECO TRACT

Exhibit B

Schertz Gateway Planned Development District (PDD) Property

Schertz Gateway Project
Planned Development District
Schertz, Texas

**Schertz Gateway
Planned Development District**

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I. Planned Development District (“PDD”)

The City of Schertz (“City”) has adopted zoning and site design requirements for specific zoning classifications and uses, as set forth in the Schertz Unified Development Code (“UDC”). Recognizing that not all development may be able to adhere to the strict regulations and design standards set forth in a particular zoning classification, the City created the Planned Development District (“PDD”) as an alternative approach to conventional land development.

PDD zoning encourages and promotes creative and innovative project design that would otherwise not be possible under the regulations of typical Schertz zoning districts. In exchange for allowing flexibility under the PDD, the City is granted more control and certainty over what is actually constructed on a site. Through the PDD, permitted uses and design standards can be better defined.

The PDD Plan (attached) and this written document define the use and project design for the Schertz Gateway PDD. This document outlines the specific UDC articles and sections that are to be amended or modified pursuant to the City ordinance specific to this PDD. Development within the Property is subject to general development plan review and approval by the City, as required by the UDC.

II. The Project

a. The Property

The PDD project area includes approximately 64.339 acres (the “Property”) at the intersection of IH-35 and Schwab Road within the City of Schertz municipal boundaries. The Property is further described in the attached Exhibit “A”.

b. The Project

Master planned projects allow for cohesive, thoughtful development that is an active and a desirable place for Schertz residents to live, work, and visit. The Schertz Gateway project will include a mixture of residential and commercial uses, as well as public improvements and infrastructure. Master Planning a project allows for integrated and cohesive uses, improvements, and aesthetics.

For purposes of the PDD, the Project is divided into three (3) different areas. The intent of the division is to adopt specific standards applicable to each area, and to provide the City with assurance of where each use will be located. These areas are not intended to be phases; development of different areas of the Project may occur simultaneously or in a different order than numbered.

The three (3) areas are as follows and further shown on the PDD Plan which is the last page of this ordinance:

- AREA I – Commercial/Retail

Area I includes approximately 19.61 acres located along IH-35 and Schwab Road (near the IH-35 intersection). This Area will be developed with commercial uses, including retail, service, and/or office uses.

- AREA II – Multi-Family

Area II is approximately 14.8 acres located on the eastern side of the Property between the commercial highway frontage of Area I and the residential uses within Area III. This area will be developed for multi-family residential uses.

- AREA III – Residential/Low Density Multi-Family

Area III approximately 29.92 acres located south of Areas I and II and planned for low density multi-family development (attached or detached residential units) not to exceed the density limitations of this PDD.

In addition to commercial and residential development, the Project is also anticipated to include public right-of-way improvements including improvements to Schwab Road and the extension of a portion of Froboese Lane.

Each Area of the Project and the public improvements will be developed in accordance with the standards set forth in this PDD and on the attached PPD Plan. If this document and the PDD Plan are silent, then UDC standards shall control. This document and the PDD Plan shall control in the event of a conflict with the UDC.

III. Area I

Area I of the Project will comply with UDC standards unless stated otherwise below. Area I shall be limited to “GB” uses, as shown in the Permitted Use Table, and subject to “GB” standards, except that a Convenience Store w/Gas Pumps is allowed as a permitted use.

Design Standards (UDC Article 9) - Landscaping

Section 21.9.7 D

5. Trees planted shall be a minimum of three inches (3") caliper measured at four and one-half feet (4.5') above ground level at the time of planting (rather than two inches (2")).
9. A minimum fifteen foot (15') wide landscape buffer shall be provided adjacent to any public right-of-way. Tree planting and other landscaping requirements within this buffer area shall remain unchanged.

Transportation (UDC Article 14) - Additional Design Requirements

Section 21.14.3

C. *Building Setback Line.* A minimum fifty foot (50') front building setback shall be required for lots fronting on the IH-35 frontage road. A minimum twenty-five foot (25') shall be required from all other public rights-of-way.

E. *Screening.* No screening walls or fencing shall be required adjacent to public right-of-way.

IV. Area II

Area II of the Project will comply with UDC standards unless stated otherwise below. Area II shall be limited to “R-4” uses as shown in the Permitted Use Table.

Zoning Districts (UDC Article 5) - Dimensional and Developmental Standards

Section 21.5.7

Unless excepted from herein, Area II shall comply with the City’s “R-4” Multi-Family District standards. The following Table II.A shall replace UDC Table 21.5.7.A as it applies to the Project:

Table II.A – Dimensional Requirements

Code	Classification	Minimum Lot Size			Minimum, Yard Setback (ft)			Misc. Lot Requirements	
		Area sf.	Width ft.	Depth ft.	Front ft.	Side ft.	Rear ft.	Max. Ht.	Max. Cover
R-4	Apartment/Multi-Family	10,000	100	100	25	10	20	45	75%

Multi-Family (R-4) development shall comply with the following:

- a. Maximum density shall not exceed 35 units per acre; maximum unit count of 518 units.
- b. Parking standards outlined for Area II in this PDD.
- c. Swimming pools count toward the maximum impervious cover limitations, unless the swimming pool is equipped with a water overflow device appropriate for such pool, and only if it drains into any pervious surface, in which case the water surface shall be excluded.
- d. No variances may be permitted to exceed the maximum impervious cover limitations.
- e. Design requirements of UDC Article 14, Section 21.14.3 unless noted otherwise within this PDD.

Design Standards (UDC Article 9)

Lots (Section 21.9.3)

Lots sizes and dimensions will conform to the minimum requirements recognized in “Table II.A – Dimensional Requirements” of this PDD.

Landscaping (Section 21.9.7 D)

5. Trees planted shall be a minimum of three inches (3") caliper measured at four and one-half feet (4.5') above ground level at the time of planting (rather than two inches (2")).
9. A minimum fifteen foot (15') wide landscape buffer shall be provided adjacent to any public right-of-way. Tree planting and other landscaping requirements within this buffer area shall remain unchanged.
11. Shade trees shall be provided at a ratio of eleven (11) trees per acre.

Parking (UDC Article 10)

Section 21.10.4

- A. Off-street parking shall be provided in sufficient quantities to provide the following ratio of vehicle spaces for multi-family use:

Schedule of Off-Street Parking Requirements	
Use Type	Parking Requirement
Multi-Family	One and one half (1.5) parking space per bedroom (minimum), plus additional guest parking at a ratio of 5% of required spaces or Two (2) spaces per unit (minimum), plus additional guest parking at a ratio of 5% or required spaces

Transportation (UDC Article 14)

UDC Section 21.14.3

E. *Screening.* No screening walls or fencing shall be required adjacent to public right-of-way.

V. Area III

Area III of the Project will comply with UDC standards unless stated otherwise below. Area III shall be limited to residential/low-density multi-family uses, as further limited herein, and shall be comprised of one (1) platted lot.

Zoning Districts (UDC Article 5) - Dimensional and Developmental Standards

Section 21.5.7

A. Unless excepted from herein, Area III shall comply with the City’s “R-4” Multi-Family District standards. The following Table II.A shall replace UDC Table 21.5.7.A as it applies to the Project:

Table III.A – Dimensional Requirements

Code	Classification	Minimum Lot Size			Minimum, Yard Setback (ft)			Misc. Lot Requirements	
		Area sf.	Width ft.	Depth ft.	Front ft.	Side ft.	Rear ft.	Max. Ht.	Max. Cover
R-4	Apartment/Multi-Family	10,000	100	100	25	10	20	35 ft.	75%

Residential development shall comply with the following:

- a. The overall density shall not exceed 10 units per acre; maximum unit count of 299 units.
- b. Parking shall comply with the City's "R-4" Multi-Family District standards.
- c. Swimming pools count toward the maximum impervious cover limitations, unless the swimming pool is equipped with a water overflow device appropriate for such pool, and only if it drains into any pervious surface, in which case the water surface shall be excluded.
- d. No variances may be permitted to exceed the maximum impervious cover limitations.
- e. Design requirements of UDC Article 14, Section 21.14.3 unless noted otherwise within this PDD.

Design Standards (UDC Article 9)

Lots (Section 21.9.3)

Lots sizes and dimensions will conform to the minimum requirements recognized in “Table II.A – Dimensional Requirements” of this PDD.

Landscaping (Section 21.9.7 D)

- 5. Trees planted shall be a minimum of three inches (3") caliper measured at four and one-half feet (4.5') above ground level at the time of planting (rather than two inches (2")).
- 9. A minimum fifteen foot (15') wide landscape buffer shall be provided adjacent to any public right-of-way. A minimum forty (40') foot wide landscape buffer shall be provided between the Cypress Point Subdivision. Tree planting and other landscaping requirements within this buffer area shall remain unchanged.
- 11. Shade trees shall be provided at a ratio of eleven (11) trees per acre.

Transportation (UDC Article 14)

UDC Section 21.14.3 – Additional Design Requirements

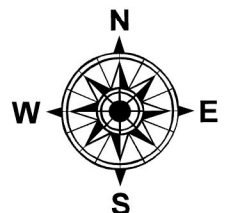
C. *Building Setback Line.* All setbacks shall be in accordance with Table III.A, provided however, a minimum forty-foot (40') building setback shall be provided on the eastern boundary of Area III adjacent to existing and platted single-family residential lots.

E. *Screening.* No screening walls or solid fencing shall be required adjacent to public right-of-way. A six-foot (6') semi-open, decorative metal or similar material fence may be provided adjacent to public right-of-way.

VI. PDD Adjustments

Adjustments to Planned Development District (PDD) Plan (UDC Section 21.5.10)

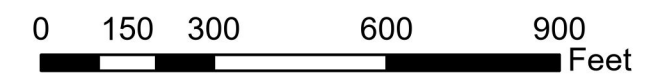
Per UDC Section 21.5.10, the City Manager or his/her designee may permit an applicant to make minor amendments to the PDD Plan without the necessity of amending the ordinance that established the PDD. As the Project design and engineering is refined, it may be necessary to alter the boundaries between the Areas or the location of public improvements. The list of minor amendments included in Section 21.5.10 is further defined to allow Area boundaries to shift in location up to seventy-five feet (75') from what is shown on the PDD Plan.

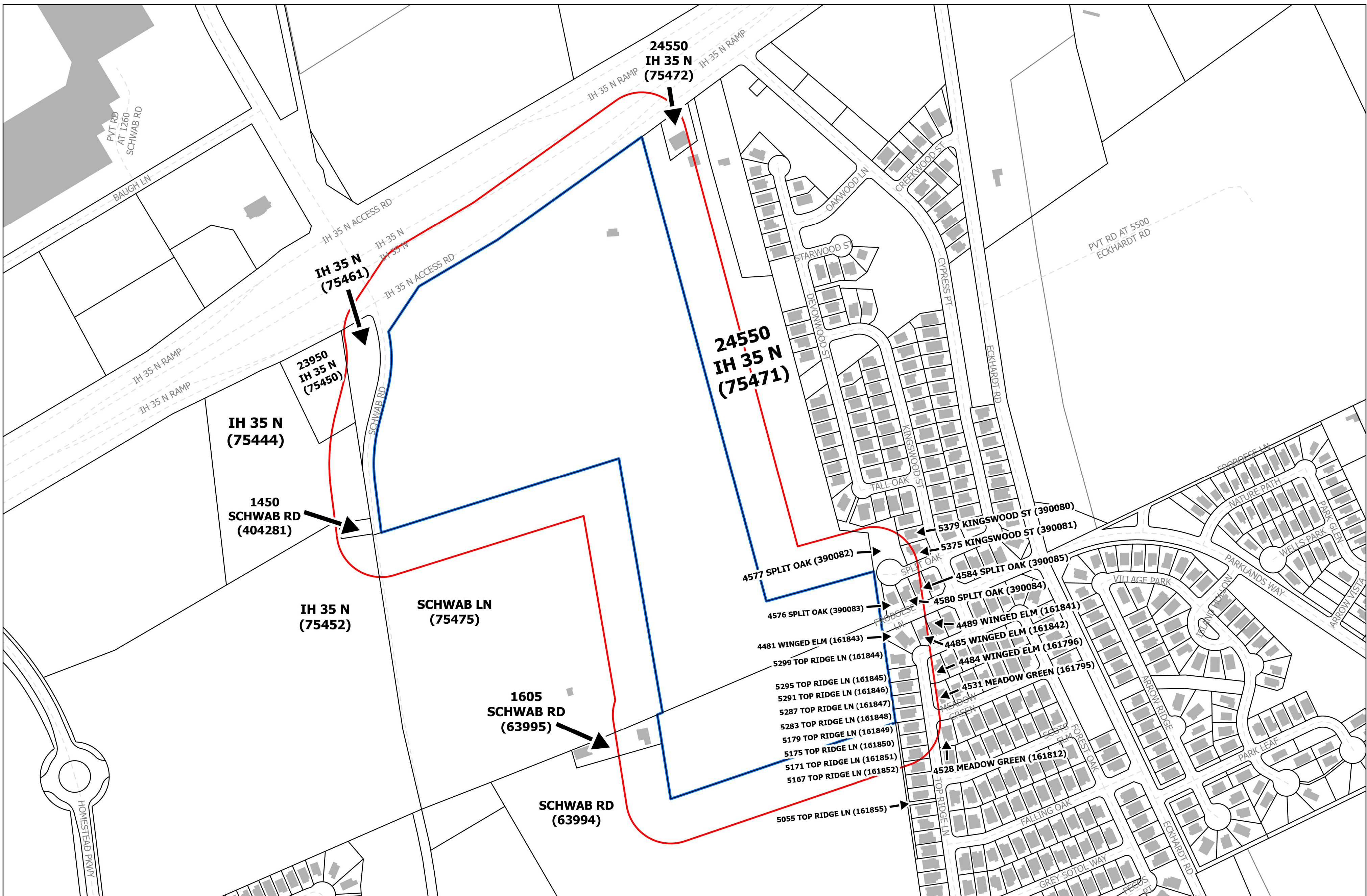


SCHERTZ
COMMUNITY • SERVICE • OPPORTUNITY

24500 IH-35 PDD
(PLPDD20220214)

Highways	Major Roads	Minor Roads	Freeway	Principal Arterial	Planned Principal Arterial	Secondary Arterial	Planned Secondary Arterial	Secondary Rural Arterial	Planned Secondary Rural Arterial	Residential Collector	Planned Residential Collector	Planned Commercial Collector B	Commercial Collector A	Planned Commercial Collector A															Unknown	Schertz Gravity	Schertz Pressure	Neighboring Gravity	Private Pressure	Hydrant	Manholes	CCMA Lift Station	Private Lift Station	Schertz Lift Station	CCMA Treatment Plant	Schertz Treatment Plant	Project Boundary	County Boundaries	Schertz Municipal Boundary	ETJ
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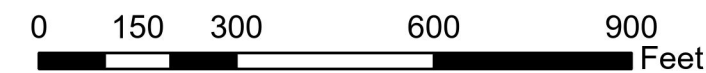
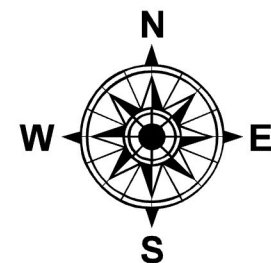


City of Schertz

24500 IH-35 N
(PLPDD20220214)

 200' Buffer

 Project Area



From: Abraham
Sent: Monday, November 13, 2023 11:51 PM
To: Brian James; planning@schertz.com
Subject: Plan PLPDD20220214

Dear Planning & Zoning Committee (including Samuel Haas, Senior Planner),

I am writing to express my strong opposition to rezoning of approximately 65 acres of land from General Business District (GB) to Planned Development District (PDD), specifically titled "Schertz Gateway", generally located southeast to the IH 35 and Schwab Road. This development will be detrimental to the area, nearly all residents in the surrounding neighborhoods are completely opposed to the addition of commercial/retail, multi-family residential, and residential/low density multi-family housing that will cause traffic and safety problems, create even more problems with schools that are already over-capacity, destroy local wildlife habitat, increase the already existing issues with water pressure in the area, and potentially lower the property values of the existing community.

Traffic and safety of pedestrians are major areas of concern. Traffic jams on the access road of I-35 already exist up and down Schwab and there are often accidents. The local neighborhood traffic will disproportionately surge during morning and evening rush hours, causing traffic issues during critical times for the existing multiple existing neighborhoods. The traffic surge during morning rush hours will also negatively impact safety for children, since students walk to buses in the mornings. In general, the area traffic is continuing to increase, and heavy traffic is already common at times which may not have been anticipated. Additionally, the roads continue to increase with traffic hazardous including potholes and litter and this development will further exacerbate that hazard that could lead to accidents and create an unsafe situation for residents. There are already multiple large master planned communities and developments and continuing to rezone will strain the area and increase traffic and safety risk.

This development will create safety concerns as the local police are already 12 officers short and increasing the number of residents and adding commercial property presents a very dangerous situation for residents. As recently as last year a high-speed chase ended in this area and crime has been very relevant in this area. Theft of cars and break-ins have been rapidly increasing. This will increase response times drastically and create a very risky situation.

Schools in the area are already reported at overcapacity, and the council should not approve multi-family dwellings that creates or exacerbates a situation that will cause school concurrency to fail for this proposal and/or other approved plans. Additionally, bus drivers are limited and we already have issues with children being late to school and unsafely having to sit 3 across on the bus seats.

Wildlife has been observed in the area, and any development will destroy their habitat. Any planned development of the property should consider the continuing impact to local wildlife habitat. The area has lots of wildlife and has the potential to impact several endangered species, which should be investigated by the appropriate agency prior to approving development. Additionally, with nearby ranches these re-zoning threatens the ranch wildlife on these ranches. Lastly, continuing to develop the land will enhance the safety issues on the roads noted above as displacing the wildlife such as deer will lead to wildlife running into the roads and surrounding communities and causing accidents. Air pollution and litter would likely increase as well in these areas and threaten wildlife and humans' health.

Multiple complaints have been sent to the city regarding issues with water pressure in the area this development is purposed. This issue occurs around the clock but especially during peak usage hours the surrounding neighborhoods have decreased access to water and putting increased pressure on these systems threatens the already large issue residents are experiencing. This is a true human health risk and should be weighed heavily.

Property values are likely to go down in the area if multi-family apartments or condominiums are built. Multifamily dwellings are inconsistent with the neighborhoods developed in the area. I am very disappointed that only a limited number of notices were mailed even though this largely impacts the entire surrounding communities. There was no indication of where the notifications were sent, but I suspect very few were delivered into our neighborhood. Additionally, these were sent on 11/3, not received until 11/6-11/7 and then the entire planning and zoning office was out of office 11/9-11/13 only leaving 2 business days for the community to voice concerns in advance of the meeting. This application was submitted in January 2023 and the fact that this rezoning is being rushed with very limited notice is very disappointing and concerning.

I urge you to disapprove the proposed rezoning, and from recent meetings and discussions with my neighbors, I know my opinions are shared by many who have not managed to attend meeting or write letters and emails.

Thank you for your continued service and support of our communities.

Best regards,

MY FULL NAME IS:
Abraham David Marquez

MY HOME ADDRESS IS:
5383 Kingswood
Schertz TX 78108

Thank you,
Abraham Marquez
Sent from my iPhone

From: Amber Shaw
Sent: Tuesday, November 14, 2023 4:33 PM
To: planning@schertz.com
Subject: Rezoning of PLPDD20220214

Dear Planning & Zoning Committee (including Samuel Haas, Senior Planner) - I am writing to express my strong opposition to rezoning of PLPDD20220214 approximately 65 acres of land from General Business District (GB) to Planned Development District (PDD), specifically titled "Schertz Gateway", generally located southeast to the IH 35 and Schwab Road.

This development will be detrimental to the area, nearly all residents in the surrounding neighborhoods are completely opposed to the addition of commercial/retail, multi-family residential, and residential/low density multi-family housing that will cause traffic and safety problems, create even more problems with schools that are already over-capacity, destroy local wildlife habitat, increase the already existing issues with water pressure in the area, and potentially lower the property values of the existing community.

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There are already multiple large master planned communities and developments and continuing to rezone will strain the area and increase traffic and safety risk. This development will create safety concerns as the local police are already 12 officers short and increasing the number of residents and adding commercial property presents a very dangerous situation for residents. As recently as last year a high-speed chase ended in this area and crime has been very relevant in this area. Theft of cars and break-ins have been rapidly increasing. This will increase response times drastically and create a very risky situation.

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Lastly, continuing to develop the land will enhance the safety issues on the roads noted above as displacing the wildlife such as deer will lead to wildlife running into the roads and surrounding communities and causing accidents. Air pollution and litter would likely increase as well in these areas and threaten wildlife and humans' health. Multiple complaints have been sent to the city regarding issues with water pressure in the area this development is proposed. This issue occurs around the clock but especially during peak usage hours the surrounding neighborhoods have

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This application was submitted in January 2023 and the fact that this rezoning is being rushed with very limited notice is very disappointing and concerning. I urge you to disapprove the proposed rezoning, and from recent meetings and discussions with my neighbors, I know my opinions are shared by many who have not managed to attend meeting or write letters and emails.

Put a really nice park with bike trails out there. Our children need somewhere to play. Stop thinking of the kickbacks and money lining your pockets and think about the residents that are already here. I understand Schertz is growing and growth means money, but make wise decisions about where things should go. Y'all can't even fix our roads for goodness sake, so think about what else you want to add to this growing mess with no proper infrastructure.

Thank you for your continued service and half-hearted support of our communities.

Best regards,

MY FULL NAME IS: Amber Shaw

MY HOME ADDRESS IS: 5260 Forest Oak, Schertz TX 78108

From: Anthony O'Neal
Sent: Thursday, November 9, 2023 4:10 PM
To: Brian James
Subject: PLPDD20220214

Brian James,

I, (Anthony O'Neal) currently live at 5299 Top Ridge Ln, Schertz, TX 78108 and I oppose to this project.

Reason being is the current water pressure in this community fluctuate and with the new housing development it will not be able to support.

Policing is another issue, current police force will be under staff in order support the community.

Animal control will be another issue.

I-35 is already congested, when it gets backed up, people already wonder through our community to find a short cut. We are already concerned for the safety our children. With addition growth this will increase of traffic flow through the community.

Anthony O'Neal
5299 Top Ridge Ln, Schertz, TX 78108

NOTICE OF PUBLIC HEARING

November 3, 2023

To whom it may concern,

The City of Schertz Planning and Zoning Commission will conduct a public hearing on **Wednesday, November 15th, 2023 at 6:00 p.m.** located at the Municipal Complex Council Chambers, 1400 Schertz Parkway, Building #4, Schertz, Texas to consider and act upon the following item:

PLPDD20220214 - Hold a public hearing, consider, and make a recommendation on a request to rezone approximately 65 acres of land from General Business District (GB) to Planned Development District (PDD), known as Comal County Parcel ID 75458 and Guadalupe County Parcel ID 64005, generally located southeast of the IH 35 and Schwab Road intersection, City of Schertz, Comal County and Guadalupe County, Texas.

Because you own property within 200 feet of the subject property, the Planning and Zoning Commission would like to hear how you feel about this request and invites you to attend the public hearing. If you would like to express how you feel, please complete the bottom portion of this letter and return before the public hearing date by mail or personal delivery to Samuel Haas, Senior Planner 1400 Schertz Parkway, Bldg. 1, Schertz, Texas 78154, or by e-mail planning@schertz.com. If you have any questions, please feel free to call Samuel Haas, Senior Planner directly at (210) 619-1783.

Sincerely,



Samuel Haas
Senior Planner

Reply Form

I am: in favor of opposed to neutral to the request for **PLPDD20220214**

COMMENTS: *This Development Will Have a negative Impact on the area + well Beyond Just here*

NAME: Barbara A. Wright SIGNATURE Barbara A. Wright
(PLEASE PRINT)

STREET ADDRESS: 24550 IH 35 N New Braunfels TX 78132

DATE: 11-13-23 (*Home address 7260 Green Valley Rd Cibola TX 78108*)

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Sincerely,

Samuel Haas
Senior Planner

Reply Form

I am: in favor of opposed to neutral to the request for PLPDD20220214

COMMENTS: This development limits what we can do with our property in the future

NAME: Bobby Wright SIGNATURE [Handwritten Signature]
(PLEASE PRINT)

STREET ADDRESS: 24550 IH 35 N New Braunfels TX

DATE: 11/11/2023 78132

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Sincerely,



Samuel Haas
Senior Planner

Reply Form

I am: in favor of opposed to neutral to the request for **PLPDD20220214**

COMMENTS: This area cannot support the development

NAME: Lindy Ann Wright SIGNATURE [Handwritten Signature]
(PLEASE PRINT)

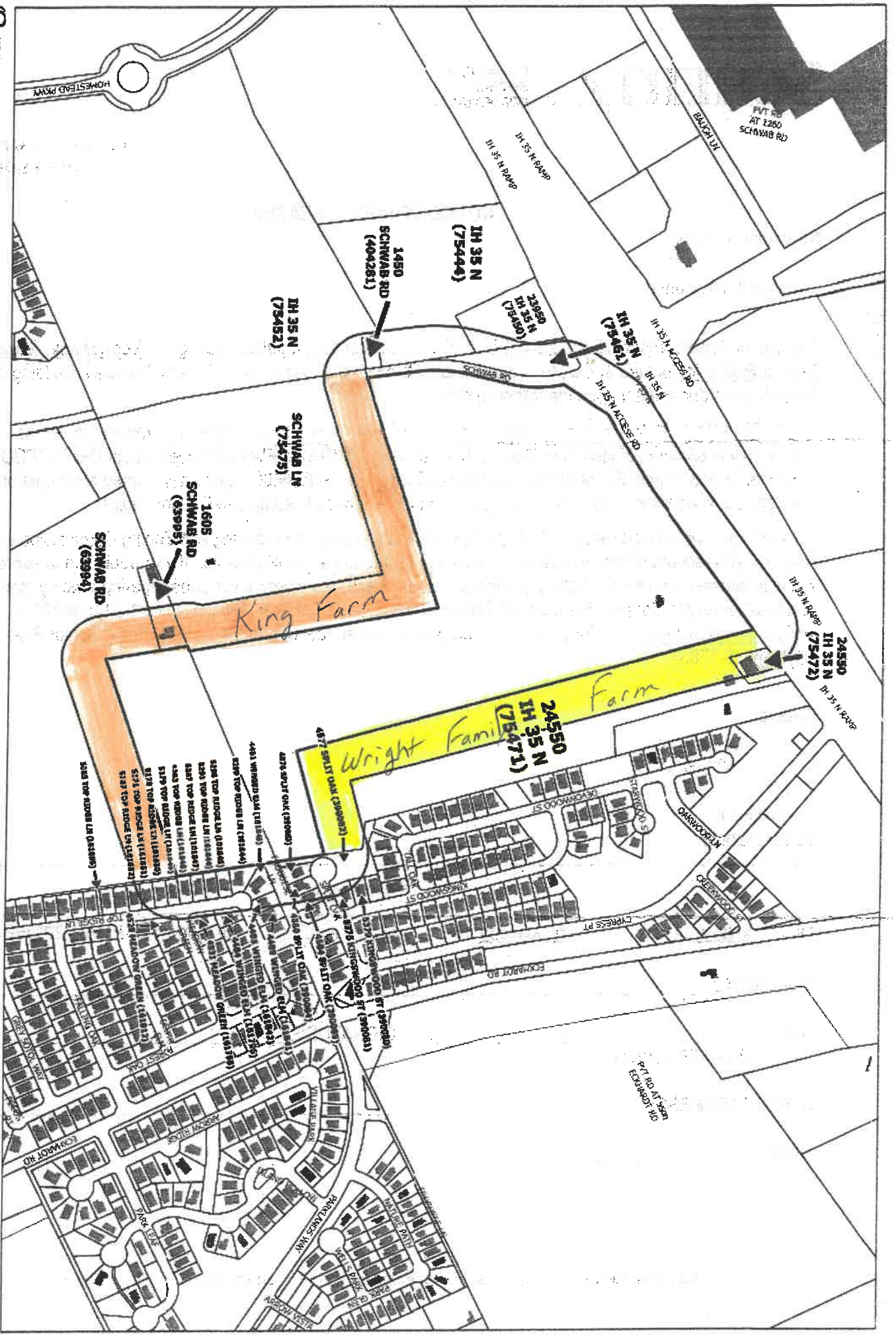
STREET ADDRESS: 24550 IH 35 N. New Braunfels 78132

DATE: 11/9/2023 (Schertz City Limits)

City of Schertz

24500 IH-35 N
 (P.L.P.D.020220214)

○ 200' Buffer
 Project Area



From:
Sent: Sunday, November 12, 2023 11:13 AM
To: planning@schertz.com
Subject: Re: PLPDD20220214 - Rezone Hearing

In regard to the hearing on the 15th, I have attached a letter of my concerns and my opposition for the rezoning. I live on 5291 Top Ridge Ln and this impacts my family and I as well as the community.

Regards,
Bertha Murad

Dear Planning & Zoning Committee (including Samuel Haas, Senior Planner) -

I am writing to express my strong opposition to rezoning of approximately 65 acres of land from General Business District (GB) to Planned Development District (PDD), specifically titled "Schertz Gateway", generally located southeast to the IH 35 and Schwab Road. This development will be detrimental to the area, nearly all residents in the surrounding neighborhoods are completely opposed to the addition of commercial/retail, multi-family residential, and residential/low density multi-family housing that will cause traffic and safety problems, create even more problems with schools that are already over-capacity, destroy local wildlife habitat, increase the already existing issues with water pressure in the area, and potentially lower the property values of the existing community.

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I urge you to disapprove the proposed rezoning, and from recent meetings and discussions with my neighbors, I know my opinions are shared by many who have not managed to attend meeting or write letters and emails.

Thank you for your continued service and support of our communities.

Best regards,

Bertha Murad

MY FULL NAME IS:

Bertha Dolores Murad

MY HOME ADDRESS IS:

5291 Top Ridge Ln.

Schertz, TX 78108

From: The Cooper Family
Sent: Monday, November 13, 2023 7:02 PM
To: planning@schertz.com
Subject: Rezoning of PLPDD20220214

Dear Planning & Zoning Committee (including Samuel Haas, Senior Planner)

We are writing to express my strong opposition to rezoning of PLPDD20220214 approximately 65 acres of land from General Business District (GB) to Planned Development District (PDD), specifically titled "Schertz Gateway", generally located southeast to the IH 35 and Schwab Road. This development will be detrimental to the area, nearly all residents in the surrounding neighborhoods are completely opposed to the addition of commercial/retail, multi-family residential, and residential/low density multi-family housing that will cause traffic and safety problems, create even more problems with schools that are already over-capacity, destroy local wildlife habitat, increase the already existing issues with water pressure in the area, and potentially lower the property values of the existing community.

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Thank you for your continued service and support of our communities.

Best regards,

Bryan and Latoya Cooper
4838 Park Leaf
Schertz, TX 78124

Samuel Haas

From: Cameron Hall ·
Sent: Tuesday, November 14, 2023 6:26 PM
To: planning@schertz.com
Subject: Opposition to Rezoning

Dear Planning & Zoning Committee (including Samuel Haas, Senior Planner) -

I am writing to express my strong opposition to rezoning of PLPDD20220214 approximately 65 acres of land from General Business District (GB) to Planned Development District (PDD), specifically titled "Schertz Gateway", generally located southeast to the IH 35 and Schwab Road. This development will be detrimental to the area, nearly all residents in the surrounding neighborhoods are completely opposed to the addition of commercial/retail, multi-family residential, and residential/low density multi-family housing that will cause traffic and safety problems, create even more problems with schools that are already over-capacity, destroy local wildlife habitat, increase the already existing issues with water pressure in the area, and potentially lower the property values of the existing community.

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I urge you to disapprove the proposed rezoning, and from recent meetings and discussions with my neighbors, I know my opinions are shared by many who have not managed to attend meeting or write letters and emails.

Thank you for your continued service and support of our communities.

Best regards,

MY FULL NAME IS: Cameron Hall

MY HOME ADDRESS IS: 5043 Top Ridge Lane
Schertz, TX 78108

Dear Planning & Zoning Committee (including *Samuel Haas, Senior Planner*)

I am writing to express my strong opposition to rezoning of PLPDD20220214 approximately 65 acres of land from General Business District (GB) to Planned Development District (PDD), specifically titled "Schertz Gateway", generally located southeast to the IH 35 and Schwab Road. This development will be detrimental to the area, nearly all residents in the surrounding neighborhoods are completely opposed to the addition of commercial/retail, multi-family residential, and residential/low density multi-family housing that will cause traffic and safety problems, create even more problems with schools that are already over-capacity, destroy local wildlife habitat, increase the already existing issues with water pressure in the area, and potentially lower the property values of the existing community.

Traffic and safety of pedestrians are major areas of concern. Traffic jams on the access road of I-35 already exist up and down Schwab and there are often accidents. The local neighborhood traffic will disproportionately surge during morning and evening rush hours, causing traffic issues during critical times for the existing multiple existing neighborhoods. The traffic surge during morning rush hours will also negatively impact safety for children, since students walk to buses in the mornings. In general, the area traffic is continuing to increase, and heavy traffic is already common at times which may not have been anticipated. Additionally, the roads continue to increase with traffic hazardous including potholes and litter and this development will further exacerbate that hazard that could lead to accidents and create an unsafe situation for residents. There are already multiple large master planned communities and developments and continuing to rezone will strain the area and increase traffic and safety risk.

This development will create safety concerns as the local police are already 12 officers short and increasing the number of residents and adding commercial property presents a very dangerous situation for residents. As recently as last year a high-speed chase ended in this area and crime has been very relevant in this area. Theft of cars and break-ins have been rapidly increasing. This will increase response times drastically and create a very risky situation.

Schools in the area are already reported at overcapacity, and the council should not approve multi-family dwellings that creates or exacerbates a situation that will cause school concurrency to fail for this proposal and/or other approved plans. Additionally, bus drivers are limited, and we already have issues with children being late to school and unsafely having to sit 3 across on the bus seats.

Wildlife has been observed in the area, and any development will destroy their habitat. Any planned development of the property should consider the continuing impact to local wildlife habitat. The area has lots of wildlife and has the potential to impact several endangered species, which should be investigated by the appropriate agency prior to approving development. Additionally, with nearby ranches these re-zoning threatens the ranch wildlife on these ranches. Lastly, continuing to develop the land will enhance the safety issues on the roads noted above as displacing the wildlife such as deer will lead to wildlife running into the roads and surrounding

communities and causing accidents. Air pollution and litter would likely increase as well in these areas and threaten wildlife and humans' health.

Multiple complaints have been sent to the city regarding issues with water pressure in the area this development is proposed. This issue occurs around the clock but especially during peak usage hours the surrounding neighborhoods have decreased access to water and putting increased pressure on these systems threatens the already large issue residents are experiencing. This is a true human health risk and should be weighed heavily.

Property values are likely to go down in the area if multi-family apartments or condominiums are built. Multifamily dwellings are inconsistent with the neighborhoods developed in the area. I am very disappointed that only a limited number of notices were mailed even though this largely impacts the entire surrounding communities. There was no indication of where the notifications were sent, but I suspect very few were delivered into our neighborhood. Additionally, these were sent on 11/3, not received until 11/6-11/7 and then the entire planning and zoning office was out of office 11/9-11/13 only leaving 2 business days for the community to voice concerns in advance of the meeting. This application was submitted in January 2023 and the fact that this rezoning is being rushed with very limited notice is very disappointing and concerning.

I urge you to disapprove the proposed rezoning, and from recent meetings and discussions with my neighbors, I know my opinions are shared by many who have not managed to attend meeting or write letters and emails.

Thank you for your continued service and support of our communities.

Best regards,



CARMELO VEGA MARTINEZ

5503 DEVONWOOD ST

SCHERTZ, TX 78108

From: Christopher Harlin
Sent: Thursday, November 9, 2023 5:32 PM
To: planning@schertz.com; Brian James
Subject: Schertz Gateway Rezoning

Dear Planning & Zoning Committee (including Samuel Haas, Senior Planner) -

I am writing to strongly oppose the proposed rezoning of approximately 65 acres of land from General Business District (GB) to Planned Development District (PDD), specifically titled "Schertz Gateway," situated southeast of IH 35 and Schwab Road. This development poses significant drawbacks to the area, with nearly all residents in the adjacent neighborhoods expressing staunch opposition. The addition of commercial/retail, multi-family residential, and residential/low-density multi-family housing is anticipated to result in traffic and safety issues, strain already overburdened schools, disrupt local wildlife habitat, exacerbate water pressure problems, and potentially decrease property values. One major concern revolves around traffic and pedestrian safety, as the existing traffic congestion on the I-35 access road and Schwab Road is already problematic, leading to accidents. The surge in local neighborhood traffic during peak hours, particularly during morning and evening rush periods, will further intensify these issues. This surge poses safety risks for children walking to buses in the mornings. The area's overall traffic is on the rise, with existing hazards such as potholes and litter likely to escalate with the proposed development, creating an unsafe environment for residents.

The development also raises safety concerns due to the existing shortage of local police officers. Increasing the resident population and introducing commercial properties heightens the risk for residents, as demonstrated by recent incidents such as a high-speed chase in the area. The rise in crime, including car thefts and break-ins, further emphasizes the need to address these safety issues promptly.

The schools in the area are already reported to be overcapacity, and approving multi-family dwellings without addressing this issue would strain school resources and compromise the safety of students. Additionally, the proposed development would impact local wildlife habitat, potentially affecting endangered species. The displacement of wildlife, such as deer, could lead to increased road hazards, accidents, and threats to human and wildlife health due to air pollution and litter. Water pressure issues in the area have been previously reported, and the proposed development threatens to exacerbate these problems, posing a significant risk to human health. Furthermore, the construction of multi-family apartments or condominiums is likely to lower property values, as it is inconsistent with the established character of the surrounding neighborhoods.

I express disappointment in the limited notice provided to the community, with notices received only days before a meeting and during a time when the planning and zoning office was largely inaccessible. The rushed nature of this rezoning process, initiated in January 2023, raises concerns about transparency and community involvement.

I strongly urge you to disapprove the proposed rezoning, a sentiment shared by many in the community who may not have had the opportunity to attend meetings or submit formal correspondence.

Best Regards,

MY FULL NAME IS: Christopher D. Harlin

MY HOME ADDRESS IS: 5712 Cypress Point, Schertz, TX 78108

Dear Planning & Zoning Committee (including *Samuel Haas, Senior Planner*) -

I am writing to express my strong opposition to rezoning of PLPDD20220214 approximately 65 acres of land from General Business District (GB) to Planned Development District (PDD), specifically titled "Schertz Gateway", generally located southeast to the IH 35 and Schwab Road. This development will be detrimental to the area, nearly all residents in the surrounding neighborhoods are completely opposed to the addition of commercial/retail, multi-family residential, and residential/low density multi-family housing that will cause traffic and safety problems, create even more problems with schools that are already over-capacity, destroy local wildlife habitat, increase the already existing issues with water pressure in the area, and potentially lower the property values of the existing community.

Traffic and safety of pedestrians are major areas of concern. Traffic jams on the access road of I-35 already exist up and down Schwab and there are often accidents. The local neighborhood traffic will disproportionately surge during morning and evening rush hours, causing traffic issues during critical times for the existing multiple existing neighborhoods. The traffic surge during morning rush hours will also negatively impact safety for children, since students walk to buses in the mornings. In general, the area traffic is continuing to increase, and heavy traffic is already common at times which may not have been anticipated. Additionally, the roads continue to increase with traffic hazardous including potholes and litter and this development will further exacerbate that hazard that could lead to accidents and create an unsafe situation for residents. There are already multiple large master planned communities and developments and continuing to rezone will strain the area and increase traffic and safety risk.

This development will create safety concerns as the local police are already 12 officers short and increasing the number of residents and adding commercial property presents a very dangerous situation for residents. As recently as last year a high-speed chase ended in this area and crime has been very relevant in this area. Theft of cars and break-ins have been rapidly increasing. This will increase response times drastically and create a very risky situation.

Schools in the area are already reported at overcapacity, and the council should not approve multi-family dwellings that creates or exacerbates a situation that will cause school concurrency to fail for this proposal and/or other approved plans. Additionally, bus drivers are limited, and we already have issues with children being late to school and unsafely having to sit 3 across on the bus seats.

Wildlife has been observed in the area, and any development will destroy their habitat. Any planned development of the property should consider the continuing impact to local wildlife habitat. The area has lots of wildlife and has the potential to impact several endangered species, which should be investigated by the appropriate agency prior to approving development. Additionally, with nearby ranches these re-zoning threatens the ranch wildlife on these ranches. Lastly, continuing to develop the land will enhance the safety issues on the roads noted above as displacing the wildlife such as deer will lead to wildlife running into the roads and surrounding

communities and causing accidents. Air pollution and litter would likely increase as well in these areas and threaten wildlife and humans' health.

Multiple complaints have been sent to the city regarding issues with water pressure in the area this development is proposed. This issue occurs around the clock but especially during peak usage hours the surrounding neighborhoods have decreased access to water and putting increased pressure on these systems threatens the already large issue residents are experiencing. This is a true human health risk and should be weighed heavily.

Property values are likely to go down in the area if multi-family apartments or condominiums are built. Multifamily dwellings are inconsistent with the neighborhoods developed in the area. I am very disappointed that only a limited number of notices were mailed even though this largely impacts the entire surrounding communities. There was no indication of where the notifications were sent, but I suspect very few were delivered into our neighborhood. Additionally, these were sent on 11/3, not received until 11/6-11/7 and then the entire planning and zoning office was out of office 11/9-11/13 only leaving 2 business days for the community to voice concerns in advance of the meeting. This application was submitted in January 2023 and the fact that this rezoning is being rushed with very limited notice is very disappointing and concerning.

I urge you to disapprove the proposed rezoning, and from recent meetings and discussions with my neighbors, I know my opinions are shared by many who have not managed to attend meeting or write letters and emails.

Thank you for your continued service and support of our communities.

Best regards,

MY FULL NAME IS:

Clare and Larry Sparks

MY HOME ADDRESS IS:

5507 Devonwood st.
Cibola, TX. 78108

From:
Sent: Saturday, November 11, 2023 12:13 PM
To: planning@schertz.com; Brian James
Cc: 'Martinez Velazquez NANNIE'
Subject: RE: REZONE no. PLPDD20220214 letter dated 3 Nov 2023
Attachments: REZONE letter no PLPDD20220214 dated 3 Nov 2023.pdf

To Who it may concern

Reference is made to the Planning & Community letter dated 3 Nov 2023 with a notice to public hearing for PLPDD20220214 for only the residents within 200 feet of the new REZONE area.

Enclosed is our letter of disapproval regarding subject action. We are in strong disagreement and opposition with the proposed rezoning of PLPDD20220214 approximately 65 acres of land from General Business District (GB) to Planned Development District (PDD), specifically titled "Schertz Gateway", generally located southeast to the IH 35 and Schwab Road.

Pls contact the undersigned for any additional information.

v/r

Francisco Velazquez
4621 Falling Oak
Schertz, TX 78108

11 Nov 2023

To: Planning & Zoning Committee
Mr. Samule Haas, Senior Planner

Reference is made to the Planning & Community letter dated 3 Nov 2023 with a notice to public hearing for PLPDD20220214 for only the residents within 200 feet of the new REZONE area.

We are in strong disagreement and opposition with the proposed rezoning of PLPDD20220214 approximately 65 acres of land from General Business District (GB) to Planned Development District (PDD), specifically titled "Schertz Gateway", generally located southeast to the IH 35 and Schwab Road.

There was no indication of where the notifications were sent, but I suspect very few were delivered into our neighborhood. Additionally, these were sent on 11/3, not received until 11/6-11/7 and then the entire planning and zoning office was out of office 11/9-11/13 only leaving 2 business days for the community to voice concerns in advance of the meeting. This application was submitted in January 2023 and the fact that this rezoning is being rushed with very limited notice is very disappointing and concerning. You all fail to include all the residents of the surrounding area to carry out a rezoning without opposition. This new proposal affects Cypress point and all the pending housing development North of Eckhart Road which is in a very state of disrepairs causing extensive heavy traffic, noise problems and damage to the roads in our subdivision.

This new rezoning and development will be detrimental to the area, nearly all residents in the surrounding neighborhoods are completely opposed to the addition of commercial/retail, multi-family residential, and residential/low density multi-family housing that will cause traffic and safety problems along the I35 corridor and the existing frontage roads which are in a very unsatisfactory condition. There are already multiple large master planned communities and developments and continuing to rezone will strain the area and increase traffic and safety risk.

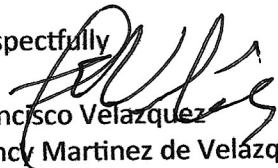
The local neighborhood traffic will disproportionately surge during morning and evening rush hours, causing traffic issues during critical times for the existing multiple existing neighborhoods. The traffic surge during morning rush hours will also negatively impact safety for children, since students walk to buses in the mornings.


There is no indication from you all in the need to increase and improve the existing infrastructure to the current load and here you are planning for additional stress to an existing cripple system. Our electrical, water and road network are behind a few decades and no action has been taken to improve our current system. We have been informed of the issues with water pressure and electrical consumption during the peak months and the city is not doing anything to provide adequate services, making the home owners to search for solar or emergency power generation systems.

We urge you to disapprove the proposed rezoning, and from recent meetings and discussions with my neighbors, I know my opinions are shared by many who have not managed to attend meetings or write letters and emails.

Thank you for your continued service and support of our community.

Respectfully


Francisco Velazquez

 Nancy Martinez de Velazquez

4621 Falling Oak

Schertz, TX 78108

From: Holly Coin
Sent: Thursday, November 9, 2023 3:59 PM
To: planning@schertz.com; Brian James
Subject: Plan PLPDD20220214

Good Afternoon,

I am writing to express my strong opposition to rezoning of approximately 65 acres of land from General Business District (GB) to Planned Development District (PDD), specifically titled "Schertz Gateway", generally located southeast to the IH 35 and Schwab Road. This development will be detrimental to the area, nearly all residents in the surrounding neighborhoods are completely opposed to the addition of commercial/retail, multi-family residential, and residential/low density multi-family housing that will cause traffic and safety problems, create even more problems with schools that are already over-capacity, destroy local wildlife habitat, increase the already existing issues with water pressure in the area, and potentially lower the property values of the existing community.

Traffic and safety of pedestrians are major areas of concern. Traffic jams on the access road of I-35 already exist up and down Schwab and there are often accidents. The local neighborhood traffic will disproportionately surge during morning and evening rush hours, causing traffic issues during critical times for the existing multiple existing neighborhoods. The traffic surge during morning rush hours will also negatively impact safety for children, since students walk to buses in the mornings. In general, the area traffic is continuing to increase, and heavy traffic is already common at times which may not have been anticipated. Additionally, the roads continue to increase with traffic hazardous including potholes and litter and this development will further exacerbate that hazard that could lead to accidents and create an unsafe situation for residents. There are already multiple large master planned communities and developments and continuing to rezone will strain the area and increase traffic and safety risk.

This development will create safety concerns as the local police are already 12 officers short and increasing the number of residents and adding commercial property presents a very dangerous situation for residents. As recently as last year a high-speed chase ended in this area and crime has been very relevant in this area. Theft of cars and break-ins have been rapidly increasing. This will increase response times drastically and create a very risky situation.

Schools in the area are already reported at overcapacity, and the council should not approve multi-family dwellings that creates or exacerbates a situation that will cause school concurrency to fail for this proposal and/or other approved plans. Additionally, bus drivers are limited and we already have issues with children being late to school and unsafely having to sit 3 across on the bus seats.

Wildlife has been observed in the area, and any development will destroy their habitat. Any planned development of the property should consider the continuing impact to local wildlife habitat. The area has lots of wildlife and has the potential to impact several endangered species, which should be investigated by the appropriate agency prior to approving development. Additionally, with nearby ranches these re-zoning threatens the ranch wildlife on these ranches. Lastly, continuing to develop the land will enhance the safety issues on the roads noted above as displacing the wildlife such as deer will lead to wildlife running into the roads and surrounding communities and causing accidents. Air pollution and litter would likely increase as well in these areas and threaten wildlife and humans' health.

Multiple complaints have been sent to the city regarding issues with water pressure in the area this development is purposed. This issue occurs around the clock but especially during peak usage hours the surrounding neighborhoods have decreased access to water and putting increased pressure on these systems threatens the already large issue residents are experiencing. This is a true human health risk and should be weighed heavily.

Property values are likely to go down in the area if multi-family apartments or condominiums are built. Multifamily dwellings are inconsistent with the neighborhoods developed in the area. I am very disappointed that only a limited number of notices were mailed even though this largely impacts the entire surrounding communities. There was no indication of where the notifications were sent, but I suspect very few were delivered into our neighborhood. Additionally, these were sent on 11/3, not received until 11/6-11/7 and then the entire planning and zoning office was out of office 11/9-11/13 only leaving 2 business days for the community to voice concerns in advance of the meeting. This application was submitted in January 2023 and the fact that this rezoning is being rushed with very limited notice is very disappointing and concerning.

I urge you to disapprove the proposed rezoning, and from recent meetings and discussions with my neighbors, I know my opinions are shared by many who have not managed to attend meeting or write letters and emails.

Thank you for your continued service and support of our communities.

Best regards,

Holly Coin

Cypress Point
4630 Pecos Point

Sent from my iPhone

From: Monet1173
Sent: Wednesday, November 15, 2023 12:18 PM
To: Brian James; planning@schertz.com
Subject: PLPDD20220214, Schertz Gateway

Dear Mr. Haas and Committee Members:

We are writing this to express our vehement opposition to the proposed rezoning of the land from General Business District (GB) to the Planned Development District (PDD) which consists of approximately 65 acres of land located at approximately 200 feet from the Cypress Point subdivision, the area of southeast IH 35 and Schwab Road. There is not enough infrastructure to support this development and will be extremely detrimental to this area. Nearly all of the residents in our neighborhood and the surrounding communities are entirely opposed to the addition of multi-family residential to include residential/low density multi-family housing and commercial/retail. These densely populated types of developments produce traffic and safety issues that will amplify the current issues with the surrounding schools, which are currently over-capacity, not to mention the bus driver shortage issues we are already facing. Additionally, this will proliferate the existing water pressure issues in the area; not to mention completely destroying the local wildlife habitat. Adding multi-family developments to the area will proliferate these compounding issues and adversely impact our currently strained resources.

Traffic, the safety of pedestrians, and our children are major areas of concern. These neighborhoods are situated right off of IH 35, which already causes increased traffic on the access road up and down the Schwab Road corridor. Accidents on the highway aggregate and increases the amount of vehicles around our communities, we often have drivers cutting and speeding through these neighborhoods looking for alternate routes, which again is a huge safety issue for not only our children but anyone walking or driving in the neighborhood. Furthermore, this upsurge in local neighborhood traffic exacerbates the already existing traffic issues during rush hours for the multiple surrounding communities. Currently, these morning rush hour traffic surges negatively impact the safety of our children, who are walking to and waiting on school buses. Traffic in our area continues to rise, and heavy traffic is now commonplace at times, which planners failed to anticipate. On top of this, the burgeoning traffic on these roads continues to increase hazards like the ever constant potholes. The addition of this type of development will only compound these problems, creating perilous, dangerous, not to mention costly road and vehicle repairs. We currently have multiple large master planned communities and developments in this area, by continuing to rezone this area for multi-family/commercial/retail developments will increase the strain not only on the infrastructure, but will also increase the traffic and safety issues.

This type of development puts an extra burden on the local police force, increasing safety concerns considering that the police force is already short 12 officers. Increasing the number of residents, not to mention adding commercial property jeopardizes the safety of all residents. Crime has been increasingly prevalent. Most recently, a high-speed car chase ended in this area. We have already had occurrences of home invasions, car break-ins and thefts, and these issues are rapidly increasing. The population from these proposed types of developments will exceedingly increase police response times, creating extremely hazardous, not to mention, possibly life-threatening situations. There are not enough critical infrastructure resources to support these types of developments.

Schools in our local area are already reported at being overcapacity, and the committee should not approve multi-family dwellings that creates or aggravates situations that cause school concurrency to fail for this proposal and/or other approved plans. As previously mentioned, schools are already short bus drivers which has already caused our children to be late to school on numerous occasions but additionally has created dangerous situations of having children sit three across on bus seats in order to get them to school on the buses that are available. Rezoning to allow multi-family dwellings will elevate this situation from serious to critical.

There is wildlife living in the area and any development will not only destroy their habitat but causes safety concerns for children and pets when they are pushed into neighborhoods, especially considering there have already been reported sightings of potentially dangerous animals such as coyotes and bobcats in the area. Any planned development of the property should consider the continuing impact to the local wildlife habitat. The area has lots of wildlife and has the potential to impact several endangered species, which needs to be investigated by the appropriate agency prior to approving development. Additionally, with nearby ranches, re-zoning threatens the wildlife on these ranches. Continuing to develop the land will not only increase the safety issues on the roads, as previously mentioned, but will also displace the deer in the area causing them to run out onto the roads and in/around surrounding communities leading to accidents. Pollution and litter will likely increase as well, leading to health and safety hazards not only for people living here but the wildlife as well.

There have already been multiple complaints lodged with the city regarding the ever-present water pressure issues in the area of this proposed development. These issues arise continuously, especially during peak usage hours. The surrounding communities already have decreased access to water, adding multi-family developments will only put increased pressure on these systems and compound the existing issues residents are already experiencing. This creates a true human health and welfare risk and should be heavily weighed.

Property values are likely to go down in the area if multi-family dwelling units are built, not to mention overlooked revenue not only to the city but the county as well. In multi-family units, the only one responsible for paying taxes on that type of property is the property owner, not the numerous families that reside in each individual apartment/condominium. The county, city, and surrounding communities are losing out on the beneficial, essential funds generated from single family homes and the individual property owners that each contribute to our city's much needed revenues. This means there is less money for health, safety, and welfare assistance such as fire and ambulance services, including crucial funding for our school districts. These tax funded services are detrimental to each and every community. In addition to these multi-family developments' lack of contributions to the annual financial budgets of the county and city, but the individuals and families that reside in these developments have no vested interest in the community, no pride in ownership since they are not individually paying property taxes. Schertz is touted as a "premier community" that promotes a family atmosphere where we can settle and build roots. The transient nature of multi-family developments are the antithesis of this acclaim. Basically it boils down to reaping all the benefits from our property taxes with zero contributions. This should be a concern for everyone, considering that this money helps fund not only public infrastructures but necessary education, health, and welfare services that support our communities. Re-zoning to approve multi-family developments puts the burden of the many on the few where the benefits, if any are few and far between. A bit clichéd but the cons in this case definitely outweigh the pros.

It was a bit negligent to only personally inform a very small portion of our neighborhood about this proposed development as it impacts not only those that live within 200 feet of this proposed development but our entire neighborhood and surrounding communities. Speaking to our neighbors that did receive notices on November 6th and 7th, it does not appear that our community's input or concerns were going to be considered, especially when the entire planning and zoning office was out observing Veterans Day from November 9th-11th and the public hearing is scheduled for the 15th. Considering that the application to rezone was submitted in January of this year, there was more than ample time for the committee to notify our communities. The timing of this hearing seems rushed, and the lack of opportunities for our communities to respond is concerning. This is extremely disappointing not only because we are taxpayers in this community but also your neighbors.

We urge you not to approve this proposed rezoning. We may be the voice of one household, but from discussions with our neighbors, we know that this sentiment is shared by all. We don't live in a bubble so invariably any negative impact caused to one neighborhood tends to trickle out and affect surrounding neighborhoods and communities. Thank you for taking the time to read our concerns and oppositions to this detrimentally impacting rezoning proposal. We appreciate you for your continued service and support to our communities.

Sincerely,

James and Julie Forames

5720 Cypress Point

Schertz, TX 78108

Get BlueMail for Android

From:
Sent: Monday, November 13, 2023 12:24 PM
To: planning@schertz.com
Subject: Public Hearing for Nov 19th, 2023 Rezoning
Attachments: HOA.pdf

Dear Sir/Madam,

We are opposed to the rezoning efforts PLPDD20220214. Attached is our notice of opposition and a letter explaining why.

Sincerely,

James & Mary Bechtel
4488 Winged Elm
Schertz, TX 78108

LETTER MAILED OUT TO COMMUNITY

PLANNING & COMMUNITY
DEVELOPMENT

November 3, 2023

NOTICE OF PUBLIC HEARING


To whom it may concern,

The City of Schertz Planning and Zoning Commission will conduct a public hearing on **Wednesday, November 15th, 2023 at 6:00 p.m.** located at the Municipal Complex Council Chambers, 1400 Schertz Parkway, Building #4, Schertz, Texas to consider and act upon the following item:

PLPDD20220214 - Hold a public hearing, consider, and make a recommendation on a request to rezone approximately 65 acres of land from General Business District (GB) to Planned Development District (PDD), known as Comal County Parcel ID 75458 and Guadalupe County Parcel ID 64005, generally located southeast of the IH 35 and Schwab Road intersection, City of Schertz, Comal County and Guadalupe County, Texas.

Because you own property within 200 feet of the subject property, the Planning and Zoning Commission would like to hear how you feel about this request and invites you to attend the public hearing. If you would like to express how you feel, please complete the bottom portion of this letter and return before the public hearing date by mail or personal delivery to Samuel Haas, Senior Planner 1400 Schertz Parkway, Bldg. 1, Schertz, Texas 78154, or by e-mail planning@schertz.com. If you have any questions, please feel free to call Samuel Haas, Senior Planner directly at (210) 619-1783.

Sincerely,



Samuel Haas
Senior Planner

Reply Form

I am: in favor of opposed to neutral to the request for **PLPDD20220214**

COMMENTS: _____

NAME: JAMES E. BRICHEL SIGNATURE James E. Brichel
(PLEASE PRINT)

STREET ADDRESS: 4488 Winged Elm, Schertz, TX 78108

DATE: 11/13/2023

Dear Planning & Zoning Committee (including *Samuel Haas, Senior Planner*) -

I am writing to express my strong opposition to rezoning of PLPDD20220214 approximately 65 acres of land from General Business District (GB) to Planned Development District (PDD), specifically titled "Schertz Gateway", generally located southeast to the IH 35 and Schwab Road. This development will be detrimental to the area, nearly all residents in the surrounding neighborhoods are completely opposed to the addition of commercial/retail, multi-family residential, and residential/low density multi-family housing that will cause traffic and safety problems, create even more problems with schools that are already over-capacity, destroy local wildlife habitat, increase the already existing issues with water pressure in the area, and potentially lower the property values of the existing community.

Traffic and safety of pedestrians are major areas of concern. Traffic jams on the access road of I-35 already exist up and down Schwab and there are often accidents. The local neighborhood traffic will disproportionately surge during morning and evening rush hours, causing traffic issues during critical times for the existing multiple existing neighborhoods. The traffic surge during morning rush hours will also negatively impact safety for children, since students walk to buses in the mornings. In general, the area traffic is continuing to increase, and heavy traffic is already common at times which may not have been anticipated. Additionally, the roads continue to increase with traffic hazardous including potholes and litter and this development will further exacerbate that hazard that could lead to accidents and create an unsafe situation for residents. There are already multiple large master planned communities and developments and continuing to rezone will strain the area and increase traffic and safety risk.

This development will create safety concerns as the local police are already 12 officers short and increasing the number of residents and adding commercial property presents a very dangerous situation for residents. As recently as last year a high-speed chase ended in this area and crime has been very relevant in this area. Theft of cars and break-ins have been rapidly increasing. This will increase response times drastically and create a very risky situation.

Schools in the area are already reported at overcapacity, and the council should not approve multi-family dwellings that creates or exacerbates a situation that will cause school concurrency to fail for this proposal and/or other approved plans. Additionally, bus drivers are limited, and we already have issues with children being late to school and unsafely having to sit 3 across on the bus seats.

Wildlife has been observed in the area, and any development will destroy their habitat. Any planned development of the property should consider the continuing impact to local wildlife habitat. The area has lots of wildlife and has the potential to impact several endangered species, which should be investigated by the appropriate agency prior to approving development. Additionally, with nearby ranches these re-zoning threatens the ranch wildlife on these ranches. Lastly, continuing to develop the land will enhance the safety issues on the roads noted above as displacing the wildlife such as deer will lead to wildlife running into the roads and surrounding

communities and causing accidents. Air pollution and litter would likely increase as well in these areas and threaten wildlife and humans' health.

Multiple complaints have been sent to the city regarding issues with water pressure in the area this development is proposed. This issue occurs around the clock but especially during peak usage hours the surrounding neighborhoods have decreased access to water and putting increased pressure on these systems threatens the already large issue residents are experiencing. This is a true human health risk and should be weighed heavily.

Property values are likely to go down in the area if multi-family apartments or condominiums are built. Multifamily dwellings are inconsistent with the neighborhoods developed in the area. I am very disappointed that only a limited number of notices were mailed even though this largely impacts the entire surrounding communities. There was no indication of where the notifications were sent, but I suspect very few were delivered into our neighborhood. Additionally, these were sent on 11/3, not received until 11/6-11/7 and then the entire planning and zoning office was out of office 11/9-11/13 only leaving 2 business days for the community to voice concerns in advance of the meeting. This application was submitted in January 2023 and the fact that this rezoning is being rushed with very limited notice is very disappointing and concerning.

I urge you to disapprove the proposed rezoning, and from recent meetings and discussions with my neighbors, I know my opinions are shared by many who have not managed to attend meeting or write letters and emails.

Thank you for your continued service and support of our communities.

Best regards,

MY FULL NAME IS:

Jana E Bechtel
Mary Elaine Siegel-Bechtel

MY HOME ADDRESS IS:

4488 Winged Elm
Schertz TX 78108

LETTER MAILED OUT TO COMMUNITY

PLANNING & COMMUNITY DEVELOPMENT

NOTICE OF PUBLIC HEARING

November 3, 2023

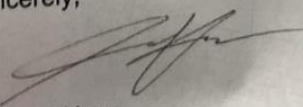
To whom it may concern,

The City of Schertz Planning and Zoning Commission will conduct a public hearing on **Wednesday, November 15th, 2023 at 6:00 p.m.** located at the Municipal Complex Council Chambers, 1400 Schertz Parkway, Building #4, Schertz, Texas to consider and act upon the following item:

PLPDD20220214 - Hold a public hearing, consider, and make a recommendation on a request to rezone approximately 65 acres of land from General Business District (GB) to Planned Development District (PDD), known as Comal County Parcel ID 75458 and Guadalupe County Parcel ID 64005, generally located southeast of the IH 35 and Schwab Road intersection, City of Schertz, Comal County and Guadalupe County, Texas.

Because you own property within 200 feet of the subject property, the Planning and Zoning Commission would like to hear how you feel about this request and invites you to attend the public hearing. If you would like to express how you feel, please complete the bottom portion of this letter and return before the public hearing date by mail or personal delivery to Samuel Haas, Senior Planner 1400 Schertz Parkway, Bldg. 1, Schertz, Texas 78154, or by e-mail planning@schertz.com. If you have any questions, please feel free to call Samuel Haas, Senior Planner directly at (210) 619-1783.

Sincerely,

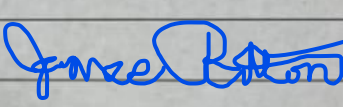


Samuel Haas
Senior Planner

Reply Form

I am: in favor of opposed to neutral to the request for **PLPDD20220214**

COMMENTS: _____

NAME: James and Sylke Patton SIGNATURE: 

(PLEASE PRINT)

STREET ADDRESS: 5495 Devonwood Street

DATE: 11/14/2023

1400 Schertz Parkway * Schertz, Texas 78154 * 210.619.1000 * schertz.com

Dear Planning & Zoning Committee (including *Samuel Haas, Senior Planner*) -

I am writing to express my strong opposition to rezoning of PLPDD20220214 approximately 65 acres of land from General Business District (GB) to Planned Development District (PDD), specifically titled "Schertz Gateway", generally located southeast to the IH 35 and Schwab Road. This development will be detrimental to the area, nearly all residents in the surrounding neighborhoods are completely opposed to the addition of commercial/retail, multi-family residential, and residential/low density multi-family housing that will cause traffic and safety problems, create even more problems with schools that are already over-capacity, destroy local wildlife habitat, increase the already existing issues with water pressure in the area, and potentially lower the property values of the existing community.

Traffic and safety of pedestrians are major areas of concern. Traffic jams on the access road of I-35 already exist up and down Schwab and there are often accidents. The local neighborhood traffic will disproportionately surge during morning and evening rush hours, causing traffic issues during critical times for the existing multiple existing neighborhoods. The traffic surge during morning rush hours will also negatively impact safety for children, since students walk to buses in the mornings. In general, the area traffic is continuing to increase, and heavy traffic is already common at times which may not have been anticipated. Additionally, the roads continue to increase with traffic hazardous including potholes and litter and this development will further exacerbate that hazard that could lead to accidents and create an unsafe situation for residents. There are already multiple large master planned communities and developments and continuing to rezone will strain the area and increase traffic and safety risk.

This development will create safety concerns as the local police are already 12 officers short and increasing the number of residents and adding commercial property presents a very dangerous situation for residents. As recently as last year a high-speed chase ended in this area and crime has been very relevant in this area. Theft of cars and break-ins have been rapidly increasing. This will increase response times drastically and create a very risky situation.

Schools in the area are already reported at overcapacity, and the council should not approve multi-family dwellings that creates or exacerbates a situation that will cause school concurrency to fail for this proposal and/or other approved plans. Additionally, bus drivers are limited, and we already have issues with children being late to school and unsafely having to sit 3 across on the bus seats.

Wildlife has been observed in the area, and any development will destroy their habitat. Any planned development of the property should consider the continuing impact to local wildlife habitat. The area has lots of wildlife and has the potential to impact several endangered species, which should be investigated by the appropriate agency prior to approving development. Additionally, with nearby ranches these re-zoning threatens the ranch wildlife on these ranches. Lastly, continuing to develop the land will enhance the safety issues on the roads noted above as displacing the wildlife such as deer will lead to wildlife running into the roads and surrounding

communities and causing accidents. Air pollution and litter would likely increase as well in these areas and threaten wildlife and humans' health.

Multiple complaints have been sent to the city regarding issues with water pressure in the area this development is proposed. This issue occurs around the clock but especially during peak usage hours the surrounding neighborhoods have decreased access to water and putting increased pressure on these systems threatens the already large issue residents are experiencing. This is a true human health risk and should be weighed heavily.

Property values are likely to go down in the area if multi-family apartments or condominiums are built. Multifamily dwellings are inconsistent with the neighborhoods developed in the area. I am very disappointed that only a limited number of notices were mailed even though this largely impacts the entire surrounding communities. There was no indication of where the notifications were sent, but I suspect very few were delivered into our neighborhood. Additionally, these were sent on 11/3, not received until 11/6-11/7 and then the entire planning and zoning office was out of office 11/9-11/13 only leaving 2 business days for the community to voice concerns in advance of the meeting. This application was submitted in January 2023 and the fact that this rezoning is being rushed with very limited notice is very disappointing and concerning.

I urge you to disapprove the proposed rezoning, and from recent meetings and discussions with my neighbors, I know my opinions are shared by many who have not managed to attend meeting or write letters and emails.

Thank you for your continued service and support of our communities.

Best regards,

MY FULL NAME IS: James and Sylke Patton

MY HOME ADDRESS IS: 5495 Devonwood Street


James Patton


Sylke Patton

Dear Planning & Zoning Committee (including Samuel Haas, Senior Planner) -

I am writing to express my strong support to rezoning of PLPDD20220214 approximately 65 acres of land from General Business District (GB) to Planned Development District (PDD), specifically titled "Schertz Gateway", generally located southeast to the IH 35 and Schwab Road. This area has so far been undeveloped and I believe that developing this area with the proposed retail, multi and single family housing would be a great improvement to the area. Firstly, building more housing will expand the supply of homes within Schertz and as a result keep cost of living affordable here, I have seen first hand many of my friends and family struggle to afford living in communities that have shot down proposals for more housing and I do not want to see the same thing happen to my community as I am a strong believer that Schertz should be a community for everybody not just those rich few who can afford it. Secondly, the retail that is proposed would be a great revenue generator as it is right along one of the busiest highways in the country and I personally feel that Schertz has failed so far to really take advantage of the incredible location it has along I-35 and building retail here would be a great opportunity for the city to pull in extra money to improve the community as a whole. Lastly, I am a strong supporter of this zoning change because building multifamily housing would be a great way for Schertz to prevent or slow the approach of buildout. We have seen in many other communities such as Plano what happens when a city reaches buildout, Plano has since started to stagnate in population and it has caused many financial struggles for the city. I don't want to see the same thing happen to Schertz so I support this rezoning as it would help alleviate that problem

Best Regards,

James Bedwell

5497 Cypress Point, Schertz, TX 78108

From: James Schoelman
Sent: Tuesday, November 14, 2023 3:28 PM
To: planning@schertz.com
Subject: PLPDD20220214

Follow Up Flag: Follow up
Flag Status: Flagged

I animatedly oppose the rezoning of 65 acres behind cypress point to build apartments.

Regards,

James Schoelman
6104 Covers Cove
Schertz, Tx 78108

From:
Sent: Monday, November 13, 2023 11:31 AM
To: planning@schertz.com
Subject: Help
Attachments: Dear Planning.docx

Dear Planning & Zoning Committee (including Samuel Haas, Senior Planner) -

I am writing to express my strong opposition to rezoning of PLPDD20220214 approximately 65 acres of land from General Business District (GB) to Planned Development District (PDD), specifically titled "Schertz Gateway", generally located southeast to the IH 35 and Schwab Road.

I have attached a letter that addresses my concerns.

Thank you for your consideration,

James Staggenborg

NOTE - This message contains an attachment that might contain a malicious payload. Schertz makes every effort to block transmission of dangerous attachments, but you as the recipient should always be cautious of receiving messages with attachments that you don't recognize or request from the sender.

Dear Planning & Zoning Committee (including Samuel Haas, Senior Planner) -

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Schools in the area are already reported at overcapacity, and the council should not approve multi-family dwellings that creates or exacerbates a situation that will cause school concurrency to fail for this proposal and/or other approved plans. Plus, bus drivers are limited, and we already

have issues with children being late to school and unsafely having to sit 3 across on the bus seats. Wildlife has been observed in the area, and any development will destroy their habitat. Any planned development of the property should consider the continuing impact to local wildlife habitat. The area has lots of wildlife and has the potential to impact several endangered species, which should be investigated by the appropriate agency prior to approving development. Additionally, with nearby ranches these re-zoning threatens the ranch wildlife on these ranches. Lastly, continuing to develop the land will enhance the safety issues on the roads noted above as displacing the wildlife such as deer will lead to wildlife running into the roads and surrounding communities and causing accidents. Air pollution and litter would likely increase as well in these areas and threaten wildlife and humans' health.

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I urge you to disapprove the proposed rezoning, and from recent meetings and discussions with my neighbors, I know my opinions are shared by many who have not managed to attend meeting or write letters and emails.

Thank you for your continued service and support of our communities.

Best regards,

James Staggenborg

4624 Falling Oak , Schertz, Tx 78108

Dear Planning & Zoning Committee (including *Samuel Haas, Senior Planner*) -

I am writing to express my strong opposition to rezoning of PLPDD20220214 approximately 65 acres of land from General Business District (GB) to Planned Development District (PDD), specifically titled "Schertz Gateway", generally located southeast to the IH 35 and Schwab Road. This development will be detrimental to the area, nearly all residents in the surrounding neighborhoods are completely opposed to the addition of commercial/retail, multi-family residential, and residential/low density multi-family housing that will cause traffic and safety problems, create even more problems with schools that are already over-capacity, destroy local wildlife habitat, increase the already existing issues with water pressure in the area, and potentially lower the property values of the existing community.

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I urge you to disapprove the proposed rezoning, and from recent meetings and discussions with my neighbors, I know my opinions are shared by many who have not managed to attend meeting or write letters and emails.

Thank you for your continued service and support of our communities.

Best regards,

MY FULL NAME IS:

Jason and Petra Jackson

MY HOME ADDRESS IS:

**5512 Devonwood St
Schertz, Tx 78108**

From: Jenifer Matta
Sent: Thursday, November 9, 2023 3:48 PM
To: Brian James
Cc: planning@schertz.com
Subject: Opposition to Rezoning for "Schertz Gateway"

Dear Planning & Zoning Committee (including Samuel Haas, Senior Planner)

I am writing to express my strong opposition to rezoning of approximately 65 acres of land from General Business District (GB) to Planned Development District (PDD), specifically titled "Schertz Gateway", generally located southeast to the IH 35 and Schwab Road. This development will be detrimental to the area, nearly all residents in the surrounding neighborhoods are completely opposed to the addition of commercial/retail, multi-family residential, and residential/low density multi-family housing that will cause traffic and safety problems, create even more problems with schools that are already over-capacity, destroy local wildlife habitat, increase the already existing issues with water pressure in the area, and potentially lower the property values of the existing community.

Traffic and safety of pedestrians are major areas of concern. Traffic jams on the access road of I-35 already exist up and down Schwab and there are often accidents. The local neighborhood traffic will disproportionately surge during morning and evening rush hours, causing traffic issues during critical times for the existing multiple existing neighborhoods. The traffic surge during morning rush hours will also negatively impact safety for children, since students walk to buses in the mornings. In general, the area traffic is continuing to increase, and heavy traffic is already common at times which may not have been anticipated. Additionally, the roads continue to increase with traffic hazardous including potholes and litter and this development will further exacerbate that hazard that could lead to accidents and create an unsafe situation for residents. There are already multiple large master planned communities and developments and continuing to rezone will strain the area and increase traffic and safety risk.

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Multiple complaints have been sent to the city regarding issues with water pressure in the area this development is purposed. This issue occurs around the clock but especially during peak usage hours the surrounding neighborhoods have decreased access to water and putting increased pressure on these systems threatens the already large issue residents are experiencing. This is a true human health risk and should be weighed heavily.

Property values are likely to go down in the area if multi-family apartments or condominiums are built. Multifamily dwellings are inconsistent with the neighborhoods developed in the area. I am very disappointed that only a limited number of notices were mailed even though this largely impacts the entire surrounding communities. There was no indication of where the notifications were sent, but I suspect very few were delivered into our neighborhood. Additionally, these were sent on 11/3, not received until 11/6-11/7 and then the entire planning and zoning office was out of office 11/9-11/13 only leaving 2 business days for the community to voice concerns in advance of the meeting. This application was submitted in January 2023 and the fact that this rezoning is being rushed with very limited notice is very disappointing and concerning.

I urge you to disapprove the proposed rezoning, and from recent meetings and discussions with my neighbors, I know my opinions are shared by many who have not managed to attend meeting or write letters and emails.

Thank you for your continued service and support of our communities.

Best regards,

Jenifer Matta

MY FULL NAME IS: Jenifer Matta

MY HOME ADDRESS IS: 5252 Forest Oak, Schertz, Tx 78108

Sent from my iPhone

Samuel Haas

From:
Sent: Wednesday, November 15, 2023 3:59 PM
To: planning@schertz.com
Cc:
Subject: PLPDD20220214))

I Jesus Enriquez owner of 4636 Split Oak Oppose the rezoning of said matter,

Jesus Enriquez
4636 Split Oak Schertz Texas 78108
210-313-9807

Samuel Haas

From: Karen Macias
Sent: Tuesday, November 14, 2023 5:23 PM
To: planning@schertz.com
Subject: Stong Opposition to REZONING Schertz Gateway

Dear Planning & Zoning Committee (including Samuel Haas, Senior Planner):

I am writing to express my strong opposition to rezoning of PLPDD20220214 approximately 65 acres of land from General Business District (GB) to Planned Development District (PDD), specifically titled "Schertz Gateway", generally located southeast to the IH 35 and Schwab Road.

Let me be upfront with you. I moved to Schertz / Cibolo in 1995. I welcomed growth as nothing was here. The longer I live here the more I oppose the growth.

I believe this development will be detrimental to the area. It is my understanding nearly all residents in the surrounding neighborhoods are completely opposed to the addition of commercial/retail, multi-family residential, and residential/low density multi-family housing that will cause traffic and safety problems, create even more problems with schools that are already over-capacity, destroy local wildlife habitat, increase the already existing issues with water pressure in the area, and potentially lower the property values of the existing community.

I agree that traffic and safety of pedestrians are major areas of concern. Traffic jams on the access road of I-35 already exist up and down Schwab and there are often accidents.

The local neighborhood traffic will disproportionately surge during morning and evening rush hours, causing traffic issues during critical times for the existing multiple existing neighborhoods.

The traffic surge during morning rush hours will also negatively impact safety for children, since students walk to buses in the mornings.

In general, the area traffic is continuing to increase, and heavy traffic is already common at times which may not have been anticipated. Additionally, the roads continue to increase with traffic hazardous including potholes and litter and this development will further exacerbate that hazard that could lead to accidents and create an unsafe situation for residents.

There are already multiple large master planned communities and developments and continuing to rezone will strain the area and increase traffic and safety risk. This development will create safety concerns as the local police are already 12 officers short and increasing the number of residents and adding commercial property presents a very dangerous situation for residents.

As recently as last year a high-speed chase ended in this area and crime has been very relevant in this area. Theft of cars and break-ins have been rapidly increasing. This will increase response times drastically and create a very risky situation.

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Additionally, with nearby ranches these re-zoning threatens the ranch wildlife on these ranches.

Lastly, continuing to develop the land will enhance the safety issues on the roads noted above as displacing the wildlife such as deer will lead to wildlife running into the roads and surrounding communities and causing accidents. Air pollution and litter would likely increase as well in these areas and threaten wildlife and humans' health.

Multiple complaints have been sent to the city regarding issues with water pressure in the area this development is proposed. This issue occurs around the clock but especially during peak usage hours the surrounding neighborhoods have decreased access to water and putting increased pressure on these systems threatens the already large issue residents are experiencing. This is a true human health risk and should be weighed heavily.

Property values are likely to go down in the area if multi-family apartments or condominiums are built. Multifamily dwellings are inconsistent with the neighborhoods developed in the area.

I urge you to disapprove the proposed rezoning as I what happens in Schertz affects Cibolo residences.

Thank you for your continued service and support of our communities.

Sincerely,

Karen Macias
220 Kipper Ave
Cibolo, TX 78108

From: STURGIS, KENNETH J Lt Col USAF AFPC AFPC/DPMOAC
Sent: Monday, November 13, 2023 9:31 AM
To: planning@schertz.com
Cc: Kenneth Sturgis;
Subject: Opposition to Rezoning areas ivo Cypress Point HOA

Dear Mr. Haas and Planning and Zoning Committee

I am writing to express my strong opposition to the rezoning of the 65 acres in the vicinity of the Cypress Point neighborhood. This rezoning would convert 65 acres of General Business District property to Planned Development District. This proposed plan drastically changes the landscape, functionality, and resource requirements of which the infrastructure in this area was developed for and is detrimental to the area because it doesn't bring anything to the community but additional requirements on resources that are already constrained in this part of the city. The development of multi-family and residential/low density multi-family (apartments) in this area will likely more than double the number of families already in this small area which places strain on the limited infrastructure currently in place. My specific concerns are lack of quality roadways, water supply, and most importantly access to schools and childcare.

The roadways in this area are insignificant to support the amount of traffic currently in the area. Green valley, Shwab, and Eckert roads are already in horrible shape due to potholes, trash and damage from large trucks and construction vehicles throughout the area. In addition they're dark, narrow and all around dangerous and additional development will bring additional traffic which only exacerbates this already bad situation. Water concerns are already an issue in this area. Currently in Cypress Point during weekday evenings and weekend afternoons water pressure decreases to the point where the faucets in our home become unusable. Doubling the number of homes in this region without increasing the size of the water supply pipes is a great cause for concern. Finally, schools in this area are already at max capacity. Increasing the number of families will place additional strain on the district. Currently, I drive past a new elementary school to get to our elementary school....it makes no sense. In addition, we know of families in Schertz that have been on waiting lists for over 6 months to get their children into daycare.

These are drastic limitations in infrastructure that must be addressed before developing land that was never meant to be utilized in that capacity. Recommend developers stick to land zoned for residential development as that land possess the infrastructure required to support it. If this land must be rezoned due to a lack of residential zoned land, then the infrastructure concerns must be addressed prior to the property being zoned for that use, not afterwards.

Lastly, I will address one specific concern relating to the plans for Schertz Gateway and my specific property at 5175 Top Ridge Lane. The plans show a 200' buffer zone around the entire project area, except where the project area lies along the back of my property line. I strongly oppose this plan as there exists no buffer from traffic, noise and specifically 35' tall buildings that will tower over this entire neighborhood eliminating any sense of privacy for both residents of Schertz Gateway and Cypress Point. If a buffer zone is planned for this project then there is no reason residents along Top Ridge Lane shouldn't be afforded the same buffer space as everyone else impacted by this development. I recommend the developer's plans be modified to incorporate the 200' buffer where this project runs along properties of Cypress Point HOA.

I will attend Wednesday's public hearing on this project but if you have any questions regarding my concerns above, feel free to give me a call on my mobile number below. Thank you for taking the time to hold this hearing and for taking the concerns of residents in the vicinity of this projects into consideration. Have a great day!

v/r,

KENNETH J. STURGIS, Lt Col, USAF
5175 Top Ridge Ln, Schertz, TX 78108

From: Lauren Hall
Sent: Thursday, November 9, 2023 9:01 PM
To: Brian James; planning@schertz.com
Subject: Opposition to Rezoning: Schertz Gateway

Dear Planning & Zoning Committee (including *Samuel Haas, Senior Planner*) -

I am writing to express my strong opposition (as well as the Schertz cypress point HOAs) to rezoning of approximately 65 acres of land from General Business District (GB) to Planned Development District (PDD), specifically titled "Schertz Gateway", generally located southeast to the IH 35 and Schwab Road. This development will be detrimental to the area, nearly all residents in the surrounding neighborhoods are completely opposed to the addition of commercial/retail, multi-family residential, and residential/low density multi-family housing that will cause traffic and safety problems, create even more problems with schools that are already over-capacity, destroy local wildlife habitat, increase the already existing issues with water pressure in the area, and potentially lower the property values of the existing community.

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Wildlife has been observed in the area, and any development will destroy their habitat. Any planned development of the property should consider the continuing impact to local wildlife habitat. The area has lots of wildlife and has the potential to impact several endangered species, which should be investigated by the appropriate agency prior to approving development. Additionally, with nearby ranches these re-zoning threatens the ranch wildlife on these ranches. Lastly, continuing to develop the land will enhance the safety issues on the roads noted above as displacing the wildlife such as deer will lead to wildliferunning into the roads and surrounding communities and causing accidents. Air pollution and litter would likely increase as well in these areas and threaten wildlife and humans' health.

Multiple complaints have been sent to the city regarding issues with water pressure in the area this development is proposed. This issue occurs around the clock but especially during peak usage hours the surrounding neighborhoods have decreased access to water and putting increased pressure on these systems threatens the already large issue residents are experiencing. This is a true human health risk and should be weighed heavily.

Property values are likely to go down in the area if multi-family apartments or condominiums are built. Multifamily dwellings are inconsistent with the neighborhoods developed in the area. I am very disappointed that only a limited number of notices were mailed even though this largely impacts the entire surrounding communities. There was no indication of where the notifications were sent, but I suspect very few were delivered into our neighborhood. Additionally, these were sent on 11/3, not received until 11/6-11/7 and then the entire planning and zoning office was out of office 11/9-11/13 only leaving 2 business days for the community to voice concerns in advance of the meeting. This application was submitted in January 2023 and the fact that this rezoning is being rushed with very limited notice is very disappointing and concerning.

I urge you to disapprove the proposed rezoning, and from recent meetings and discussions with my neighbors, I know my opinions are shared by many who have not managed to attend meeting or write letters and emails.

Thank you for your continued service and support of our communities.

Best regards,

Lauren Hall

5043 Top Ridge Lane, Schertz, TX 78108

VICE PRESIDENT CYPRESS POINT HOA

REPRESENTATIVE OF SCHERTZ CYPRESS POINT HOA

Property ID NUMBER: 390082

From: Lindy Wright
Sent: Friday, November 10, 2023 8:42 PM
To: Brian James; planning@schertz.com
Subject: Concerns for Rezoning of PLPDD20220214

Dear Planning & Zoning Committee (including Samuel Haas, Senior Planner)

I am writing to express my strong opposition to rezoning of PLPDD20220214 approximately 65 acres of land from General Business District (GB) to Planned Development District (PDD), specifically titled "Schertz Gateway", generally located southeast to the IH 35 and Schwab Road. This development will be detrimental to the area, nearly all residents on the surrounding small farms/ranches and in the surrounding neighborhoods are completely opposed to the addition of commercial/retail, multi-family residential, and residential/low density multi-family housing that will create more problems in the area for crime, traffic and pollution than we already have and lower the property values of the existing community.

Traffic and safety of pedestrians are major areas of concern. Traffic jams on the access road of I-35 already exist up and down Schwab and there are often accidents.. There is an influx of high traffic on inadequate the feeder roads the City of Schertz

Has already neglected the last 20 years to increasing size or control of traffic. As a local farmer my mother has been struck by a speeding truck while lawfully operating her tractor in the are. She could have been killed or seriously injured in addition to the tractor equipment being massively damaged. This summer while moving livestock from our farm at 24450 IH 35 N it took nearly an hour just to leave the drive way due the massive amounts of traffic on the access road due to road closures in IH 35 proper. Being unable to exit my property is not a one time happening - during rush hours and any time there is a crash vehicle traffic in this area has no regard for speed limits or maintaining their lane on a hill with limited visibility. Once you are able

To get out of the property onto the access road you have to aggressively accelerate to avoid getting crashed into! The roads continue to increase with traffic hazardous including potholes and litter and this development will further exacerbate that hazard that could lead to accidents and create an unsafe situation for residents. There are already multiple large master planned communities and developments and continuing to rezone will strain the area and increase traffic and safety risk.

This development will create additional safety concerns as the local police are already 12 officers short and take no less than 30 minutes to respond to in progress vandalism and trespassing on private property due to working the car crashes on IH 35, FM 3009 and FM1103. Increasing the number of residents presents a very dangerous situation for the current citizens. The dumping animals, large furniture items and bulk trash on local roads such as Schwab Rd, Green Valley Road and Eckhardt Road as risen drastically in the last several years with the current growth in the area. Theft of cars and break-ins have been rapidly increasing. This will increase the already unacceptable police response times drastically and create a very risky situations.

On our small farm several of our cattle and goats have already became sick and or died due to falling is washouts on our property from poorly designed drainage from adjoining communities recently built, eating poisonous plants tossed over our fence from the surrounding neighborhoods, plastic bags and other garbage blowing onto the property and getting stuck in the vegetation. Wildlife, both predatory and non-predatory have already been forced out of large properties in the area, such as Homestead, parklands and Cypress Point and have made this their home. Where will they go if forced out of this property, as any development will destroy their habitat. Any planned development of the property should consider the continuing impact to local wildlife habitat. With several nearby farms and ranches these re-zoning threatens the ranch wildlife and livestock cohabitation as the cattle, goats and other livestock will fall prey to the coyotes and bobcats who currently have much more land to hunt. Do you plan on hiring trappers to relocate the coyotes

and bobcats? Yes, both have been seen on this potential development property by me personally in the last six months. Lastly, continuing to develop the land will enhance the safety issues on the roads noted above as displacing the wildlife such as deer will lead to wildlife running into the roads and surrounding communities and causing accidents or coyote attacks as has been seen in other areas of the state with massive uncontrolled growth.

Property values are likely to go down in the area if multi-family apartments or condominiums are built. Multifamily dwellings are inconsistent with the neighborhoods developed in the area. I am very disappointed that only a limited number of notices were mailed even though this largely impacts the entire surrounding communities. Additionally these were sent on 11/3, not received until 11/6-11/7 and then the entire planning and zoning office was out of office 11/9-11/13 only leaving 2 business days for the community to voice concerns in advance of the meeting. This application was submitted by the developer for re-zoning in January 2023 and the fact that this rezoning is being rushed with very limited notice is very disappointing and concerning. This is obviously an intentional attempt by the City of Schertz to skirt around and force reasoning on citizens and property owners in the area. Unfortunately, this is not surprising or shocking as it seems the City of Schertz never has the best interest of the local citizens or property owners in mind unless it pads the pockets of the City or a cooperation they are able to get a more tax revenue from. The family who has maintained and kept their property family owned the past 5-6 generations since the early 1800's don't provide the money or agenda for the City so they do not matter. It seems more and more like the City's goal is to make it so hard for the small farm to continue to operate there no choice but sell out for development. When the City of Schertz forced annexed us they didn't provide any services Comal County was not already providing, they just gave us the unfortunate privilege of paying our hard earned money on additional taxes (City of Schertz Taxes) for nothing in return. Sadly, that has not changed in the last 20 years.

I urge you to disapprove the proposed rezoning, and from recent meetings and discussions with my neighbors, I know my opinions are shared by many who have not managed to attend meeting or write letters and emails.

Thank you for your consideration,

MY FULL NAME IS: Lindy Ann Wright

MY PROPERTY ADDRESS IS: 24550 IH 35 N New Braunfels TX 78132 (City Limits is Schertz)

Samuel Haas

From: M Sizemore
Sent: Tuesday, November 14, 2023 5:30 PM
To: planning@schertz.com
Subject: Reasoning of PLPDD20220214

Dear Planning & Zoning Committee (including Samuel Haas, Senior Planner) - I am writing to express my strong opposition to rezoning of PLPDD20220214 approximately 65 acres of land from General Business District (GB) to Planned Development District (PDD), specifically titled "Schertz Gateway", generally located southeast to the IH 35 and Schwab Road. This development will be detrimental to the area, nearly all residents in the surrounding neighborhoods are completely opposed to the addition of commercial/retail, multi-family residential, and residential/low density multi-family housing that will cause traffic and safety problems, create even more problems with schools that are already over-capacity, destroy local wildlife habitat, increase the already existing issues with water pressure in the area, and potentially lower the property values of the existing community. Traffic and safety of pedestrians are major areas of concern. Traffic jams on the access road of I-35 already exist up and down Schwab and there are often accidents. The local neighborhood traffic will disproportionately surge during morning and evening rush hours, causing traffic issues during critical times for the existing multiple existing neighborhoods. The traffic surge during morning rush hours will also negatively impact safety for children, since students walk to buses in the mornings. In general, the area traffic is continuing to increase, and heavy traffic is already common at times which may not have been anticipated. Additionally, the roads continue to increase with traffic hazardous including potholes and litter and this development will further exacerbate that hazard that could lead to accidents and create an unsafe situation for residents. There are already multiple large master planned communities and developments and continuing to rezone will strain the area and increase traffic and safety risk. This development will create safety concerns as the local police are already 12 officers short and increasing the number of residents and adding commercial property presents a very dangerous situation for residents. As recently as last year a high-speed chase ended in this area and crime has been very relevant in this area. Theft of cars and break-ins have been rapidly increasing. This will increase response times drastically and create a very risky situation. Schools in the area are already reported at overcapacity, and the council should not approve multi-family dwellings that creates or exacerbates a situation that will cause school concurrency to fail for this proposal and/or other approved plans. Additionally, bus drivers are limited, and we already have issues with children being late to school and unsafely having to sit 3 across on the bus seats. Wildlife has been observed in the area, and any development will destroy their habitat. Any planned development of the property should consider the continuing impact to local wildlife habitat. The area has lots of wildlife and has the potential to impact several endangered species, which should be investigated by the appropriate agency prior to approving development. Additionally, with nearby ranches these re-zoning threatens the ranch wildlife on these ranches. Lastly, continuing to develop the land will enhance the safety issues on the roads noted above as displacing the wildlife such as deer will lead to wildlife running into the roads and surrounding communities and causing accidents. Air pollution and litter would likely increase as well in these areas and threaten wildlife and humans' health. Multiple complaints have been sent to the city regarding issues with water pressure in the area this development is proposed. This issue occurs around the clock but especially during peak usage hours the surrounding neighborhoods have decreased access to water and putting increased pressure on these systems threatens the already large issue residents are experiencing. This is a true human health risk and should be weighed heavily. Property values are likely to go down in the area if multi-family apartments or condominiums are built. Multifamily dwellings are inconsistent with the neighborhoods developed in the area. I am very disappointed that only a limited number of notices were mailed even though this largely impacts the entire surrounding communities. There was no indication of where the notifications were sent, but I suspect very few were delivered into our neighborhood. Additionally, these were sent on 11/3, not received until 11/6-11/7 and then the entire planning and zoning office was out of office 11/9-11/13 only leaving 2 business days for the community to voice concerns in advance of the meeting. This application was submitted in January 2023 and the fact that this rezoning is being rushed with very limited notice is very disappointing and concerning. I urge you to disapprove the proposed rezoning, and from recent meetings and discussions with my

neighbors, I know my opinions are shared by many who have not managed to attend meeting or write letters and emails. Thank you for your continued service and support of our communities.

Best regards,

MY FULL NAME IS: Marjorie Sizemore
MY HOME ADDRESS IS:5260 Forest Oak
Schertz, TX.

Reply Form

I am: in favor of opposed to neutral to the request for **PLPDD20220214**

COMMENTS: _____

NAME: MARK MWEAD
(PLEASE PRINT)

SIGNATURE: *Mark Mwead*

STREET ADDRESS: 5291 TOP RIDGE LN SCHERTZ TX 78108

DATE: 11/6/2023

I am: in favor of opposed to neutral to the request for **PLPDD20220214**

COMMENTS: _____
NAME: Marla Brown SIGNATURE Marla Brown
(PLEASE PRINT)

STREET ADDRESS: 10226 Montano Dr

DATE: 12-5-23

From: Matthew Bradsher
Sent: Friday, November 10, 2023 5:57 PM
To: Brian James
Subject: Public hearing PLPDD20220214 Concern

Dear Planning & Zoning Committee (including Samuel Haas, Senior Planner),

I am writing to express my strong opposition to rezoning of approximately 65 acres of land from General Business District (GB) to Planned Development District (PDD), specifically titled "Schertz Gateway", generally located southeast to the IH 35 and Schwab Road.

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The local neighborhood traffic will disproportionately surge during morning and evening rush hours, causing traffic issues during critical times for the existing multiple existing neighborhoods. The traffic surge during morning rush hours will also negatively impact safety for children, since students walk to buses in the mornings. In general, the area traffic is continuing to increase, and heavy traffic is already common at times which may not have been anticipated. Additionally, the roads continue to increase with traffic hazardous including potholes and litter and this development will further exacerbate that hazard that could lead to accidents and create an unsafe situation for residents. There are already multiple large master planned communities and developments and continuing to rezone will strain the area and increase traffic and safety risk. This development will create safety concerns as the local police are already 12 officers short and increasing the number of residents and adding commercial property presents a very dangerous situation for residents. As recently as last year a high-speed chase ended in this area and crime has been very relevant in this area. Theft of cars and break-ins have been rapidly increasing. This will increase response times drastically and create a very risky situation. Schools in the area are already reported at overcapacity, and the council should not approve multi-family dwellings that creates or exacerbates a situation that will cause school concurrency to fail for this proposal and/or other approved plans. Additionally, bus drivers are limited, and we already have issues with children being late to school and unsafely having to sit 3 across on the bus seats. Wildlife has been observed in the area, and any development will destroy their habitat. Any planned development of the property should consider the continuing impact to local wildlife habitat. The area has lots of wildlife and has the potential to impact several endangered species, which should be investigated by the appropriate agency prior to approving development. Additionally, with nearby ranches these re-zoning threatens the ranch wildlife on these ranches. Lastly, continuing to develop the land will enhance the safety issues on the roads noted above as displacing the wildlife such as deer will lead to wildlife running into the roads and surrounding communities and causing accidents. Air pollution and litter would likely increase as well in these areas and threaten wildlife and humans' health. Multiple complaints have been sent to the city regarding issues with water pressure in the area this development is proposed. This issue occurs around the clock but especially during peak usage hours the surrounding neighborhoods have decreased access to water and putting increased pressure on these systems threatens the already large issue residents are experiencing. This is a true human health risk and should be weighed heavily. Property values are likely to go down in the area if multi-family apartments or condominiums are built. Multifamily dwellings are inconsistent with the neighborhoods developed in the area. I am very disappointed that only a limited number of notices were mailed even though this largely impacts the entire surrounding communities. There was no indication of where the notifications were sent, but I suspect very few were delivered into our neighborhood. Additionally, these were sent on 11/3, not received until 11/6-11/7 and then the entire planning and zoning office was out of office 11/9-11/13 only leaving 2 business days for the community to voice concerns in advance of the meeting. This application was submitted in January 2023 and the fact that this rezoning is being rushed with very limited notice is very disappointing and

concerning. I urge you to disapprove of the proposed rezoning, and from recent meetings and discussions with my neighbors, I know my opinions are shared by many who have not managed to attend meeting do to my travel working for the federal Government or write letters and emails as I was just informed of this.
Thank you for your continued service and support of our communities.

Respectfully,

Matthew Bradsher
4481 Winged Elm
Schertz, TX 78108

--
Matthew Bradsher

NOTICE OF PUBLIC HEARING

November 3, 2023

To whom it may concern,

The City of Schertz Planning and Zoning Commission will conduct a public hearing on Wednesday, November 15th, 2023 at 6:00 p.m. located at the Municipal Complex Council Chambers, 1400 Schertz Parkway, Building #4, Schertz, Texas to consider and act upon the following item:

PLPDD20220214 - Hold a public hearing, consider, and make a recommendation on a request to rezone approximately 65 acres of land from General Business District (GB) to Planned Development District (PDD), known as Comal County Parcel ID 75458 and Guadalupe County Parcel ID 64005, generally located southeast of the IH 35 and Schwab Road intersection, City of Schertz, Comal County and Guadalupe County, Texas.

Because you own property within 200 feet of the subject property, the Planning and Zoning Commission would like to hear how you feel about this request and invites you to attend the public hearing. If you would like to express how you feel, please complete the bottom portion of this letter and return before the public hearing date by mail or personal delivery to Samuel Haas, Senior Planner 1400 Schertz Parkway, Bldg. 1, Schertz, Texas 78154, or by e-mail planning@schertz.com. If you have any questions, please feel free to call Samuel Haas, Senior Planner directly at (210) 619-1783.

Sincerely,

[Handwritten signature of Samuel Haas]

Samuel Haas
Senior Planner

Reply Form

I am: in favor of [] opposed to [X] neutral to [] the request for PLPDD20220214
Please do not proceed with this. You already know the negative impact it will
COMMENTS: have on the surrounding area.

NAME: Matthew E. Wood SIGNATURE: Matthew E. Wood
(PLEASE PRINT)

STREET ADDRESS: 5487 Devonwood St. Schertz, TX. 78108

DATE: 14 Nov 2023

From: Melissa Reyes
Sent: Friday, November 10, 2023 3:36 PM
To: planning@schertz.com
Subject: Fwd: Rezoning by Cypress Point

----- Forwarded message -----

From: **Melissa Reyes**
Date: Thu, Nov 9, 2023, 9:22 PM
Subject: Rezoning by Cypress Point
To: <BJames@schertz.com>

Good evening Mr James

I am a homeowner in Cypress Point. I'm actually one of the initial homeowners in this area. I have seen a lot of development in my area which to date has caused decrease in water pressure, increase in traffic and an increase in mice and snakes due to all the development. Something I have adjusted too. However, now we are looking at more development and I am deeply concerned about drainage issues, road conditions especially if roads are opened into our subdivision. Decreased or no water pressure. Increased traffic. It has already started to get difficult leaving the subdivision as people use the access road when traffic is heavy with another development it will be impossible to get out. Please reconsider this rezoning. Thanks for listening to my concerns. Melissa Reyes 5384 Kingswood St Schertz Tx 78108.

NOTICE OF PUBLIC HEARING

November 3, 2023

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Sincerely,



Samuel Haas
Senior Planner

Reply Form

I am: in favor of opposed to neutral to the request for **PLPDD20220214**

COMMENTS: Fully Support

NAME: MFP Realty - Harry Penland III SIGNATURE 
(PLEASE PRINT) McLamb Enterprises

STREET ADDRESS: 155 E. Mulberry Ave Ste 600 SA TX 78212

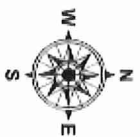
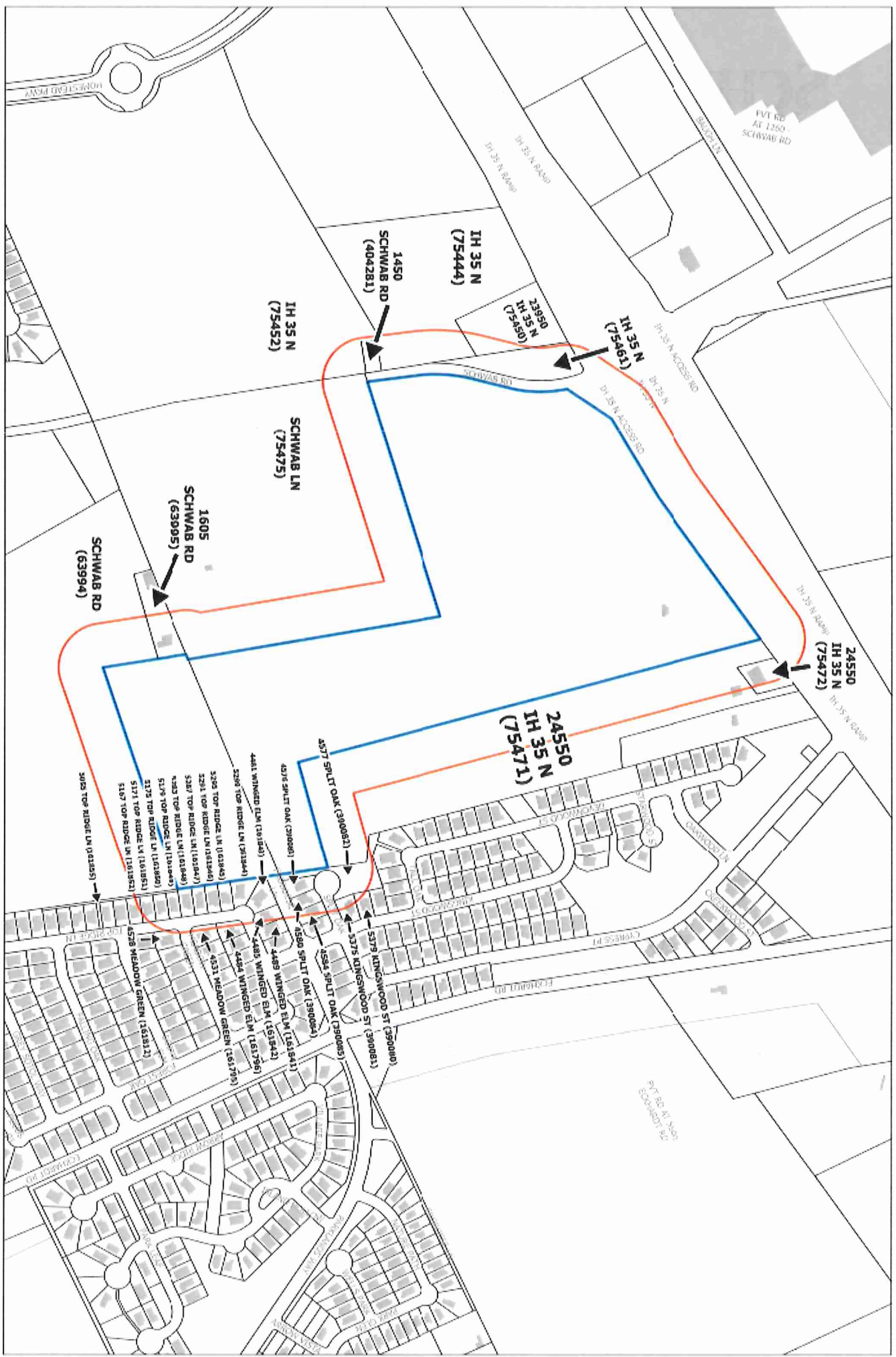
DATE: 11/13/23

City of Schertz, 1200 Westwood Drive, Schertz, Texas 78151
 The City of Schertz provides this map for informational purposes only. It is not intended to be used for any legal or financial purposes. The City of Schertz is not responsible for any errors or omissions in this map. The City of Schertz is not responsible for any damages or losses resulting from the use of this map. The City of Schertz is not responsible for any actions taken based on this map. The City of Schertz is not responsible for any actions taken based on this map.

City of Schertz

24500 IH-35 N
(PLPDD20220214)

200' Buffer
Project Area



From: Mike Lee
Sent: Tuesday, November 14, 2023 10:31 AM
To: Ralph Gutierrez; Mark Davis; Michelle Watson; Jill Whittaker; Michael Dahle; David Scagliola; Allison Heyward; Tim Brown; planning@schertz.com; Samuel Haas
Subject: Re zoning the parklands

Dear Planning & Zoning Committee (including Samuel Haas, Senior Planner) -

I am writing to express my strong opposition to rezoning of PLPDD20220214 approximately 65 acres of land from General Business District (GB) to Planned Development District (PDD), specifically titled "Schertz Gateway", generally located southeast to the IH 35 and Schwab Road. This development will be detrimental to the area, nearly all residents in the surrounding neighborhoods are completely opposed to the addition of commercial/retail, multi-family residential, and residential/low density multi-family housing that will cause traffic and safety problems, create even more problems with schools that are already over-capacity, destroy local wildlife habitat, increase the already existing issues with water pressure in the area, and potentially lower the property values of the existing community.

Traffic and safety of pedestrians are major areas of concern. Traffic jams on the access road of I-35 already exist up and down Schwab and there are often accidents. The local neighborhood traffic will disproportionately surge during morning and evening rush hours, causing traffic issues during critical times for the existing multiple existing neighborhoods. The traffic surge during morning rush hours will also negatively impact safety for children, since students walk to buses in the mornings. In general, the area traffic is continuing to increase, and heavy traffic is already common at times which may not have been anticipated. Additionally, the roads continue to increase with traffic hazardous including potholes and litter and this development will further exacerbate that hazard that could lead to accidents and create an unsafe situation for residents. There are already multiple large master planned communities and developments and continuing to rezone will strain the area and increase traffic and safety risk.

This development will create safety concerns as the local police are already 12 officers short and increasing the number of residents and adding commercial property presents a very dangerous situation for residents. As recently as last year a high-speed chase ended in this area and crime has been very relevant in this area. Theft of cars and break-ins have been rapidly increasing. This will increase response times drastically and create a very risky situation.

Schools in the area are already reported at overcapacity, and the council should not approve multi-family dwellings that creates or exacerbates a situation that will cause school concurrency to fail for this proposal and/or other approved plans. Additionally, bus drivers are limited, and we already have issues with children being late to school and unsafely having to sit 3 across on the bus seats.

Wildlife has been observed in the area, and any development will destroy their habitat. Any planned development of the property should consider the continuing impact to local wildlife habitat. The area has lots of wildlife and has the potential to impact several endangered species, which should be investigated by the appropriate agency prior to approving development. Additionally, with nearby ranches these re-zoning threatens the ranch wildlife on these ranches. Lastly, continuing to develop the land will enhance the safety issues on the roads noted above as displacing the wildlife such as deer will lead to wildlife running into the roads and surrounding communities and causing accidents. Air pollution and litter would likely increase as well in these areas and threaten wildlife and humans' health.

Multiple complaints have been sent to the city regarding issues with water pressure in the area this development is proposed. This issue occurs around the clock but especially during peak usage hours the surrounding neighborhoods

have decreased access to water and putting increased pressure on these systems threatens the already large issue residents are experiencing. This is a true human health risk and should be weighed heavily.

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I urge you to disapprove the proposed rezoning, and from recent meetings and discussions with my neighbors, I know my opinions are shared by many who have not managed to attend meeting or write letters and emails.

Thank you for your continued service and support of our communities.

Best regards,

Michael Lee Mockerman Jr
5222 Nature Path

Sent from my iPad

From: Michelle Nail
Sent: Thursday, November 9, 2023 2:40 PM
To: Brian James
Subject: Rezoning swabb road

My name is Michelle Nail I live at 4539 Meadow Green in Schertz Texas in the Cypress point neighborhood I am against the rezoning in the area next to us due to the fact that we're not sure if there is enough required emergency support, the streets can't support it, traffic, water pressure is already low and I don't know what that would do to the apartments going up next to us, and the school in this area are already packed. Please provide more research and look into how this would affect the existing neighborhood.

There is already a new neighborhood going in behind us.

Thank you for your time.

Michelle Nail

From: Olivia Alvarado ·
Sent: Thursday, November 9, 2023 4:00 PM
To: bjames@schertz.com
Cc: planning@schertz.com
Subject: Schertz Re-Zoning

Dear Planning & Zoning Committee (including Samuel Haas, Senior Planner)

I am writing to express my strong opposition to rezoning of approximately 65 acres of land from General Business District (GB) to Planned Development District (PDD), specifically titled "Schertz Gateway", generally located southeast to the IH 35 and Schwab Road. This development will be detrimental to the area, nearly all residents in the surrounding neighborhoods are completely opposed to the addition of commercial/retail, multi-family residential, and residential/low density multi-family housing that will cause traffic and safety problems, create even more problems with schools that are already over-capacity, destroy local wildlife habitat, increase the already existing issues with water pressure in the area, and potentially lower the property values of the existing community.

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I urge you to disapprove the proposed rezoning, and from recent meetings and discussions with my neighbors, I know my opinions are shared by many who have not managed to attend meeting or write letters and emails.

Thank you for your continued service and support of our communities.

Best regards,

Miguel A. Alvarado
4583 Scots Elm
Schertz, Tx 78108
Cypress Point Subdivision

Get [Outlook for iOS](#)

From: Chelsea Rivas
Sent: Thursday, November 9, 2023 4:06 PM
To: Brian James; planning@schertz.com
Subject: Zoning committee
Attachments: 20231109_160308.jpg

Dear Planning & Zoning Committee (including Samuel Haas, Senior Planner) -

I am writing to express my strong opposition to rezoning of approximately 65 acres of land from General Business District (GB) to Planned Development District (PDD), specifically titled "Schertz Gateway", generally located southeast to the IH 35 and Schwab Road. This development will be detrimental to the area, nearly all residents in the surrounding neighborhoods are completely opposed to the addition of commercial/retail, multi-family residential, and residential/low density multi-family housing that will cause traffic and safety problems, create even more problems with schools that are already over-capacity, destroy local wildlife habitat, increase the already existing issues with water pressure in the area, and potentially lower the property values of the existing community.

Traffic and safety of pedestrians are major areas of concern. Traffic jams on the access road of I-35 already exist up and down Schwab and there are often accidents. The local neighborhood traffic will disproportionately surge during morning and evening rush hours, causing traffic issues during critical times for the existing multiple existing neighborhoods. The traffic surge during morning rush hours will also negatively impact safety for children, since students walk to buses in the mornings. In general, the area traffic is continuing to increase, and heavy traffic is already common at times which may not have been anticipated. Additionally, the roads continue to increase with traffic hazardous including potholes and litter and this development will further exacerbate that hazard that could lead to accidents and create an unsafe situation for residents. There are already multiple large master planned communities and developments and continuing to rezone will strain the area and increase traffic and safety risk.

This development will create safety concerns as the local police are already 12 officers short and increasing the number of residents and adding commercial property presents a very dangerous situation for residents. As recently as last year a high-speed chase ended in this area and crime has been very relevant in this area. Theft of cars and break-ins have been rapidly increasing. This will increase response times drastically and create a very risky situation.

Schools in the area are already reported at overcapacity, and the council should not approve multi-family dwellings that creates or exacerbates a situation that will cause school concurrency to fail for this proposal and/or other approved plans. Additionally, bus drivers are limited and we already have issues with children being late to school and unsafely having to sit 3 across on the bus seats.

Wildlife has been observed in the area, and any development will destroy their habitat. Any planned development of the property should consider the continuing impact to local wildlife habitat. The area has lots of wildlife and has the potential to impact several endangered species, which should be investigated by the appropriate agency prior to approving development. Additionally, with nearby ranches these re-zoning threatens the ranch wildlife on these ranches. Lastly, continuing to develop the land will enhance the safety issues on the roads noted above as displacing the wildlife such as deer will lead to wildlife running into the roads and surrounding communities and causing accidents. Air pollution and litter would likely increase as well in these areas and threaten wildlife and humans' health.

Multiple complaints have been sent to the city regarding issues with water pressure in the area this development is purposed. This issue occurs around the clock but especially during peak usage hours the surrounding neighborhoods

have decreased access to water and putting increased pressure on these systems threatens the already large issue residents are experiencing. This is a true human health risk and should be weighed heavily.

Property values are likely to go down in the area if multi-family apartments or condominiums are built. Multifamily dwellings are inconsistent with the neighborhoods developed in the area. I am very disappointed that only a limited number of notices were mailed even though this largely impacts the entire surrounding communities. There was no indication of where the notifications were sent, but I suspect very few were delivered into our neighborhood. Additionally, these were sent on 11/3, not received until 11/6-11/7 and then the entire planning and zoning office was out of office 11/9-11/13 only leaving 2 business days for the community to voice concerns in advance of the meeting. This application was submitted in January 2023 and the fact that this rezoning is being rushed with very limited notice is very disappointing and concerning.

I urge you to disapprove the proposed rezoning, and from recent meetings and discussions with my neighbors, I know my opinions are shared by many who have not managed to attend meeting or write letters and emails.

Thank you for your continued service and support of our communities.

Best regards,

MIGUEL Rivas

5379 Kingwood St

NOTICE OF PUBLIC HEARING

November 3, 2023

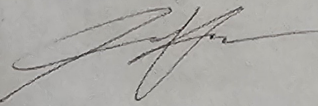
To whom it may concern,

The City of Schertz Planning and Zoning Commission will conduct a public hearing on Wednesday, November 15th, 2023 at 6:00 p.m. located at the Municipal Complex Council Chambers, 1400 Schertz Parkway, Building #4, Schertz, Texas to consider and act upon the following item:

PLPDD20220214 - Hold a public hearing, consider, and make a recommendation on a request to rezone approximately 65 acres of land from General Business District (GB) to Planned Development District (PDD), known as Comal County Parcel ID 75458 and Guadalupe County Parcel ID 64005, generally located southeast of the IH 35 and Schwab Road intersection, City of Schertz, Comal County and Guadalupe County, Texas.

Because you own property within 200 feet of the subject property, the Planning and Zoning Commission would like to hear how you feel about this request and invites you to attend the public hearing. If you would like to express how you feel, please complete the bottom portion of this letter and return before the public hearing date by mail or personal delivery to Samuel Haas, Senior Planner 1400 Schertz Parkway, Bldg. 1, Schertz, Texas 78154, or by e-mail planning@schertz.com. If you have any questions, please feel free to call Samuel Haas, Senior Planner directly at (210) 619-1783.

Sincerely,

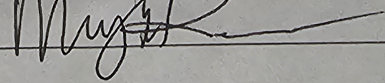


Samuel Haas
Senior Planner

Reply Form

I am: in favor of opposed to neutral to the request for **PLPDD20220214**

COMMENTS: _____

NAME: Miguel Rivas SIGNATURE 
(PLEASE PRINT)

STREET ADDRESS: 5379 Kingswood St Schertz TX 78108

DATE: 11/09/2023

From: Sherri Thompson
Sent: Thursday, November 9, 2023 8:37 PM
To: planning@schertz.com
Subject: Proposed Rezoning Request: PLPDD20220214

November 9, 2023

Dear Planning & Zoning Committee; Samuel Haas, Senior Planner,

We are writing to express our strong opposition to the rezoning of approximately 65 acres of land from General Business District (GB) to Planned Development District, specifically titled "Schertz Gateway," generally located southeast to the IH 35 and Schwab Road. This development will be detrimental to the area, nearly all residents in the surrounding neighborhoods are completely opposed to the addition of commercial/retail, multi-family residential, and residential/low density multi-family housing. We believe that this will cause traffic and safety problems, create even more problems with already over-capacity schools, destroy local wildlife habitat, increase the already existing issues with water pressure in the area, and potentially lower the property values of the existing community.

Traffic and safety of pedestrians are major areas of concern. Traffic jams trying to get onto the access road of IHo-35 already exist from Schwab Road to Engel Road. The local neighborhood traffic will disproportionately surge during morning and evening rush hours, causing traffic issues during critical times for the existing neighborhoods. The traffic surge during morning rush hours will also negatively impact safety for children, since students walk to buses in the mornings. In general, the area traffic is already continuing to increase with continued building, and heavy traffic is already common at times which may not have been anticipated. Additionally, the roads are already hazardous enough with potholes and litter, and this development will further exacerbate the hazards that could lead to accidents and create unsafe situations for residents. There are already multiple large master planned communities and developments and continuing to rezone will strain the area and increase traffic and safety risk.

This proposed development will create additional safety concerns for me. Already the local police are 12 officers short and increasing the number of residents and adding commercial property presents a very dangerous situation for residents. As recently as last year a high-speed chase ended in this area with an individual fleeing police by running through back yards - including ours! Theft of cars and break-ins have been rapidly increasing as it moves north along IH-35. High density housing will cause higher crime rates as well as drastically increase response times thus creating potentially dangerous situations.

Schools in the area are already at overcapacity, and the council should not approve multi-family dwellings that creates or exacerbates a situation that will cause the schools additional problems. Additionally, buses and drivers are in limited supply. There are already issues with children being late to school due to increased traffic and unsafely having to sit three across on the seats.

Wildlife has been observed in the area and any development will destroy their habitat. Any planned development of the property should consider the continuing impact to local wildlife habitat. The area has lots of wildlife (we frequently have visitors in our backyard) and has the potential to impact endangered plant and wildlife, which should be investigated by the appropriate agency prior to approving development. Additionally, with nearby ranches, this rezoning threatens the wildlife on those ranches. Continuing to develop the land will increase safety issues on the roads (as noted above) as wildlife - such as deer - will run into the roads and surrounding communities potentially causing accidents. Air pollution and litter would also increase as well in these areas, threatening the health of both humans and wildlife.

It is our understanding that multiple complaints have been sent to the city regarding water pressure in the area of this proposed development. This issue occurs around the clock but especially during peak usage hours. Our neighborhoods already have decreased access to water and putting increased loads on these systems threatens the already large issues residents are currently experiencing. Other infrastructure needs are of concern as well: sewer systems, ...

Property values are likely to be affected if the multi-family apartments or condominiums are built. Multi-family dwellings are inconsistent with the neighborhoods already being developed in the area. We are disappointed that only households in the buffer zone were notified of this proposed change even though this would largely impact all communities in the surrounding area. These notices were sent on 11/3 but not received until 11/6 - 11/7. Top that off with the entire Planning

and Zoning office is out from 11/9-11/13. That leaves community residents with only two business days to voice their concerns in advance of the meeting. This rezoning application was submitted in January of this year. That is at least 10 months ago and now it is suddenly being rushed with very limited notice? This is very disappointing and concerning. It makes us wonder if you are trying to hide something.

We believe that it is your responsibility to look out for the best interests of the current residents and not the developers. Thus, we urge you to **NOT** approve the proposed rezoning request PLPDD20220214. We know that this opinion is shared by many in our community who were not invited to express their opinion but would nonetheless be affected by this rezoning.

Thank you for your continued service and support of our communities.

Regards,

Nathan and Sherri Thompson
5287 Top Ridge Ln
Schertz, TX 78108

Sherri Thompson

"We are all under the obligation of making this world a happier place for our having lived in it,"
-George Albert Smith

Samuel Haas

From: Ramona Owens
Sent: Tuesday, November 14, 2023 7:16 PM
To: planning@schertz.com
Subject: strong opposition to rezoning of PLPDD20220214 approximately 65 acres of land from General Business District (GB) to Planned Development District (PDD)

Dear Planning & Zoning Committee (including Samuel Haas, Senior Planner) -

I am writing to express my strong opposition to rezoning of PLPDD20220214 approximately 65 acres of land from General Business District (GB) to Planned Development District (PDD), specifically titled "Schertz Gateway", generally located southeast to the IH 35 and Schwab Road. This development will be detrimental to the area, nearly all residents in the surrounding neighborhoods are completely opposed to the addition of commercial/retail, multi-family residential, and residential/low density multi-family housing that will cause traffic and safety problems, create even more problems with schools that are already over-capacity, destroy local wildlife habitat, increase the already existing issues with water pressure in the area, and potentially lower the property values of the existing community.

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I urge you to disapprove the proposed rezoning, and from recent meetings and discussions with my neighbors, I know my opinions are shared by many who have not managed to attend meeting or write letters and emails.

Thank you for your continued service and support of our communities.

Best regards,

MY FULL NAME IS: Ramona Owens

MY HOME ADDRESS IS: 953 Forest Ridge Parkway, Schertz, TX 78154

Sent from my iPad

Samuel Haas

From: rgonzales6581
Sent: Tuesday, November 14, 2023 7:32 PM
To: planning@schertz.com
Subject: Rezoning of land next to Cypress Point

I and my wife oppose the rezoning of the land next to Cypress Point. We live at 4504 Winged Elm and oppose the rezoning of this property for apartments. Homes, no problem. Apartments, NO WAY.
Richard E and Maria Linda Gonzales

Sent from my T-Mobile 4G LTE Device

From: Richard Eads
Sent: Thursday, November 9, 2023 4:48 PM
To: Brian James
Subject: Schertz Gateway Re-Zoning
Attachments: Re-Zoning Schertz Gateway.docx

The Cypress Point Board of Directors approved this document about re-zoning.

Thanks

Richard Eads
5523 Cypress Pt Schertz Tx

NOTE - This message contains an attachment that might contain a malicious payload. Schertz makes every effort to block transmission of dangerous attachments, but you as the recipient should always be cautious of receiving messages with attachments that you don't recognize or request from the sender.

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agency prior to approving development. Additionally, with near by ranches these re-zoning threatens the ranch wildlife on these ranches. Lastly, continuing to develop the land will drive and enhance the safety issues on the road above as displacing the wildlife will lead to them running into the roads and causing accidents. Air pollution and litter would likely increase as well in these areas and threaten wildlife and humans.

Multiple complaints have been sent to the city regarding issues with water pressure in the area this development is purposed. This issue can occur at any time but especially during peak usage hours the surrounding neighborhoods have decreased access to water and putting increased pressure on these systems threatens the already large issue residents are experiencing.

Property values are likely to go down in the area if multi-family apartments or condominiums are built. Multi family dwellings are inconsistent with the neighborhoods developed in the area. I am very disappointed that only a limited number notices were mailed even though this largely impacts the entire surrounding communities. There was no indication of where the notifications were sent, but I suspect very few were delivered into our neighborhood. Additionally these were sent on 11/3, not received until 11/6-11/7 and then the entire planning and zoning office was out of office 11/9-11/13 only leaving 2 business days for the community to voice concerns in advance of the meeting. This application was submitted in January 2023 and the fact that this rezoning is being rushed with very limited notice is very disappointing and concerning.

I urge you to disapprove the proposed rezoning, and from recent meetings and discussions with my neighbors, I know my opinions are shared by many who have not managed to attend meeting or write letters and emails.

Thank you for your continued service and support of our communities.

Best regards,

MY FULL NAME: Richard Eads

MY HOME ADDRESS: 5523 Cypress Point Schertz Texas

I am President of the Cypress Point HOA and properties:

4577 Split Oak and 5055 Top Ridge Ln are properties owned by the HOA which I have authority to apply my disapproval to this re-zoning.

NOTICE OF PUBLIC HEARING

November 3, 2023

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Because you own property within 200 feet of the subject property, the Planning and Zoning Commission would like to hear how you feel about this request and invites you to attend the public hearing. If you would like to express how you feel, please complete the bottom portion of this letter and return before the public hearing date by mail or personal delivery to Samuel Haas, Senior Planner 1400 Schertz Parkway, Bldg. 1, Schertz, Texas 78154, or by e-mail planning@schertz.com. If you have any questions, please feel free to call Samuel Haas, Senior Planner directly at (210) 619-1783.

Sincerely,

Samuel Haas
Senior Planner

Reply Form

I am: in favor of opposed to neutral to the request for **PLPDD20220214**

COMMENTS: OVERCROWDING OF SCHOOLS, DECLINING PROPERTY VALUES, CHILDREN SAFETY

NAME: RICHARD W KING, RBVZ LP SIGNATURE: [Handwritten Signature]
(PLEASE PRINT)

STREET ADDRESS: 1605 SCHWAB ROAD

DATE: 11-13-2023

Samuel Haas

From: Robert Nash
Sent: Tuesday, November 14, 2023 7:11 PM
To: planning@schertz.com
Subject: Rezoning Request - PLPDD20220214

Dear Planning & Zoning Committee (Including Samuel Haas, Senior Planner)

My name is Robert Nash and my wife and I just bought a house in the Parklands at 4851 Park Leaf, Marion, TX 78124. I am sending an email in regards to the rezoning request that would allow commercial/retail and multifamily residential into our area.

I am writing to express my strong opposition to the rezoning of PLPDD20220214, approximately 65 acres of land from General Business District (GB) to Planned Development District (PDD), specifically titled "Schertz Gateway", generally located southeast to the IH 35 and Schwab Road. This development would be extremely detrimental to the neighborhoods in this area, and nearly all residents in the surrounding neighborhoods are completely opposed to the addition of commercial/retail, multi-family residential and multi-family properties that will cause more problems than the already understaffed Schertz PD can properly protect and serve - who are already 12 officers short.

Not only this, but the addition of such properties will increase traffic, cause more safety problems, create even more problems with schools that are already over-capacity and under-staffed, destroy local wildlife habitat, increase an already existing issue with low water pressure, and potentially lower the property value of the existing communities. Multifamily dwellings are inconsistent with the neighborhoods developed in the area.

I am aware of multiple complaints being sent to the city regarding issues with water pressure in the area this development is proposed. It is a consistent issue that increases during peak usage hours and the surrounding neighborhoods would not only have decreased access to water, but the development would put increased pressure on an already overwhelmed system.

Lastly, schools in the area are already reported overcapacity, to the point that it is affecting the efficiency and success of the students attending, according to GreatSchools.org. The council should not approve multi-family dwellings that creates a situation that will cause school concurrency to fail. Additionally, bus drivers are limited, and we already have issues with children being late to school and unsafely sitting 3 to a seat across the bus seats.

I am very disappointed, as are several of my neighbors, at the lack of communication on this issue and the ability to respond in an appropriately timely manner. All in all, I urge the disapproval of the proposed rezoning, and from recent meetings and discussions with my neighbors, I know my opinions are shared by many who have not only been denied the opportunity or appropriate time to hear about this issue, but who have also not managed to attend a meeting or write letters or emails.

Very Respectfully,

Robert G. Nash
Retired Army Veteran

Samuel Haas

From: Sandra L
Sent: Wednesday, November 15, 2023 3:09 PM
To: planning@schertz.com

Dear Planning & Zoning Committee (including Samuel Haas, Senior Planner) -

I am writing to express my strong opposition to rezoning of PLPDD20220214 approximately 65 acres of land from General Business District (GB) to Planned Development District (PDD), specifically titled "Schertz Gateway", generally located southeast to the IH 35 and Schwab Road. This development will be detrimental to the area, nearly all residents in the surrounding neighborhoods are completely opposed to the addition of commercial/retail, multi-family residential, and residential/low density multi-family housing that will cause traffic and safety problems, create even more problems with schools that are already over-capacity, destroy local wildlife habitat, increase the already existing issues with water pressure in the area, and potentially lower the property values of the existing community.

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This development will create safety concerns as the local police are already 12 officers short and increasing the number of residents and adding commercial property presents a very dangerous situation for residents. As recently as last year a high-speed chase ended in this area and crime has been very relevant in this area. Theft of cars and break-ins have been rapidly increasing. This will increase response times drastically and create a very risky situation.

Schools in the area are already reported at overcapacity, and the council should not approve multi-family dwellings that creates or exacerbates a situation that will cause school concurrency to fail for this proposal and/or other approved plans. Additionally, bus drivers are limited, and we already have issues with children being late to school and unsafely having to sit 3 across on the bus seats.

Wildlife has been observed in the area, and any development will destroy their habitat. Any planned development of the property should consider the continuing impact to local wildlife habitat. The area has lots of wildlife and has the potential to impact several endangered species, which should be investigated by the appropriate agency prior to approving development. Additionally, with nearby ranches these re-zoning threatens the ranch wildlife on these ranches. Lastly, continuing to develop the land will enhance the safety issues on the roads noted above as displacing the wildlife such as deer will lead to wildlife running into the roads and surrounding communities and causing accidents. Air pollution and litter would likely increase as well in these areas and threaten wildlife and humans' health.

Multiple complaints have been sent to the city regarding issues with water pressure in the area this development is proposed. This issue occurs around the clock but especially during peak usage hours the surrounding neighborhoods have decreased access to water and putting increased pressure on these systems threatens the already large issue residents are experiencing. This is a true human health risk and should be weighed heavily.

Property values are likely to go down in the area if multi-family apartments or condominiums are built. Multifamily dwellings are inconsistent with the neighborhoods developed in the area. I am very disappointed that only a limited number of notices were mailed even though this largely impacts the entire surrounding communities. There was no indication of where the notifications were sent, but I suspect very few were delivered into our neighborhood. Additionally, these were sent on 11/3, not received until 11/6-11/7 and then the entire planning and zoning office was out of office 11/9-11/13 only leaving 2 business days for the community to voice concerns in advance of the meeting. This application was submitted in January 2023 and the fact that this rezoning is being rushed with very limited notice is very disappointing and concerning.

I urge you to disapprove the proposed rezoning, and from recent meetings and discussions with my neighbors, I know my opinions are shared by many who have not managed to attend meeting or write letters and emails.

Thank you for your continued service and support of our communities.

Best regards,

MY FULL NAME IS: Sandra Linerode

MY HOME ADDRESS IS: 6521 Crockett Cove, Schertz, TX 78108

From:
Sent: Monday, November 13, 2023 11:47 AM
To: planning@schertz.com
Subject: My thoughts on :
Attachments: Dear Planning.docx

Categories: Blue Category

I have attached a letter with my thoughts on this zoning change.

Thak you,

Sandra Staggenborg

NOTE - This message contains an attachment that might contain a malicious payload. Schertz makes every effort to block transmission of dangerous attachments, but you as the recipient should always be cautious of receiving messages with attachments that you don't recognize or request from the sender.

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have issues with children being late to school and unsafely having to sit 3 across on the bus seats. Wildlife has been observed in the area, and any development will destroy their habitat. Any planned development of the property should consider the continuing impact to local wildlife habitat. The area has lots of wildlife and has the potential to impact several endangered species, which should be investigated by the appropriate agency prior to approving development. Additionally, with nearby ranches these re-zoning threatens the ranch wildlife on these ranches. Lastly, continuing to develop the land will enhance the safety issues on the roads noted above as displacing the wildlife such as deer will lead to wildlife running into the roads and surrounding communities and causing accidents. Air pollution and litter would likely increase as well in these areas and threaten wildlife and humans' health.

Multiple complaints have been sent to the city regarding issues with water pressure in the area this development is proposed. This issue occurs around the clock but especially during peak usage hours the surrounding neighborhoods have decreased access to water and putting increased pressure on these systems threatens the already large issue residents are experiencing. This is a true human health risk and should be weighed heavily.

Property values are likely to go down in the area if multi-family apartments or condominiums are built. Multifamily dwellings are inconsistent with the neighborhoods developed in the area. I am very disappointed that only a limited number of notices were mailed even though this largely impacts the entire surrounding communities. There was no indication of where the notifications were sent, but I suspect very few were delivered into our neighborhood. Additionally, these were sent on 11/3, not received until 11/6-11/7 and then the entire planning and zoning office was out of office 11/9-11/13 only leaving 2 business days for the community to voice concerns in advance of the meeting. This application was submitted in January 2023 and the fact that this rezoning is being rushed with very limited notice is very disappointing and concerning.

I urge you to disapprove the proposed rezoning, and from recent meetings and discussions with my neighbors, I know my opinions are shared by many who have not managed to attend meeting or write letters and emails.

Thank you for your continued service and support of our communities.

Best regards,

James Staggenborg

4624 Falling Oak , Schertz, Tx 78108

NOTICE OF PUBLIC HEARING

November 3, 2023

To whom it may concern,

The City of Schertz Planning and Zoning Commission will conduct a public hearing on Wednesday, November 15th, 2023 at 6:00 p.m. located at the Municipal Complex Council Chambers, 1400 Schertz Parkway, Building #4, Schertz, Texas to consider and act upon the following item:

PLPDD20220214 - Hold a public hearing, consider, and make a recommendation on a request to rezone approximately 65 acres of land from General Business District (GB) to Planned Development District (PDD), known as Comal County Parcel ID 75458 and Guadalupe County Parcel ID 64005, generally located southeast of the IH 35 and Schwab Road intersection, City of Schertz, Comal County and Guadalupe County, Texas.

Because you own property within 200 feet of the subject property, the Planning and Zoning Commission would like to hear how you feel about this request and invites you to attend the public hearing. If you would like to express how you feel, please complete the bottom portion of this letter and return before the public hearing date by mail or personal delivery to Samuel Haas, Senior Planner 1400 Schertz Parkway, Bldg. 1, Schertz, Texas 78154, or by e-mail planning@schertz.com. If you have any questions, please feel free to call Samuel Haas, Senior Planner directly at (210) 619-1783.

Sincerely,

[Handwritten signature of Samuel Haas]

Samuel Haas
Senior Planner

Reply Form

I am: in favor of [] opposed to [X] neutral to [] the request for PLPDD20220214

COMMENTS: This development will be detrimental to the area, nearly all residents in the surrounding neighborhoods are completely opposed to the addition of commercial/retail, multi-family residential, and residential/low density multi-family housing that will cause traffic and safety problems, create even more problems with schools that are already over-capacity, destroy local wildlife habitat, increase the already existing issues with water pressure in the area, and potentially lower the property values of the existing community.

NAME: Schertz Cypress Point HOA SIGNATURE [Handwritten signature]
(PLEASE PRINT)

STREET ADDRESS: 4577 Split Oak, Schertz, TX 78108 & 5055 Top Ridge Lane, Schertz, TX 78108

DATE: 11/10/2023

Samuel Haas

From: Diane Schmidt
Sent: Tuesday, November 14, 2023 8:33 PM
To: planning@schertz.com
Subject: Oppose rezoning #PLPDD20220214

Dear Planning & Zoning Committee (including *Samuel Haas, Senior Planner*) -

I am writing to express my strong opposition to rezoning of PLPDD20220214 approximately 65 acres of land from General Business District (GB) to Planned Development District (PDD), specifically titled "Schertz Gateway", generally located southeast to the IH 35 and Schwab Road. This development will be detrimental to the area, nearly all residents in the surrounding neighborhoods are completely opposed to the addition of commercial/retail, multi-family residential, and residential/low density multi-family housing that will cause traffic and safety problems, create even more problems with schools that are already over-capacity, destroy local wildlife habitat, increase the already existing issues with water pressure in the area, and potentially lower the property values of the existing community.

Traffic and safety of pedestrians are major areas of concern. Traffic jams on the access road of I-35 already exist up and down the Schwab Rd exit and there are often accidents. The local neighborhood traffic will disproportionately surge during morning and evening rush hours, causing traffic issues during critical times for the existing multiple existing neighborhoods. The traffic surge during morning rush hours will also negatively impact safety for children, since students walk to buses in the mornings. In general, the area traffic is continuing to increase, and heavy traffic is already common at times which may not have been anticipated. Additionally, the roads continue to increase with traffic hazardous including potholes and litter and this development will further exacerbate that hazard that could lead to accidents and create an unsafe situation for residents. There are already multiple large master planned communities and developments and continuing to rezone will strain the area and increase traffic and safety risk.

This development will create safety concerns as the local police are already 12 officers short and increasing the number of residents and adding commercial property presents a very dangerous situation for residents. As recently as last year a high-speed chase ended in this area and crime has been very relevant in this area. Theft of cars and break-ins have been rapidly increasing. This will increase response times drastically and create a very risky situation.

Schools in the area are already reported at overcapacity, and the council should not approve multi-family dwellings that creates or exacerbates a situation that will cause school concurrency to fail for this proposal and/or other approved plans. Additionally, bus drivers are limited, and we already have issues with children being late to school and unsafely having to sit 3 across on the bus seats.

Wildlife has been observed in the area, and any development will destroy their habitat. Any planned development of the property should consider the continuing impact to local wildlife habitat. The area has lots of wildlife and has the potential to impact several endangered species, which should be investigated by the appropriate agency prior to approving development. Additionally, with nearby ranches these rezonings threaten the ranch wildlife on these ranches. Lastly, continuing to develop the land will enhance the safety issues on the roads noted above as displacing the wildlife such as deer will lead to wildlife running into the

roads and surrounding communities and causing accidents. Air pollution and litter would likely increase as well in these areas and threaten wildlife and humans' health.

Multiple complaints have been sent to the city regarding issues with water pressure in the area this development is proposed. This issue occurs around the clock but especially during peak usage hours the surrounding neighborhoods have decreased access to water and putting increased pressure on these systems threatens the already large issue residents are experiencing. This is a true human health risk and should be weighed heavily.

Property values are likely to go down in the area if multi-family apartments or condominiums are built. Multifamily dwellings are inconsistent with the neighborhoods developed in the area. I am very disappointed that only a limited number of notices were mailed even though this largely impacts the entire surrounding communities. There was no indication of where the notifications were sent, but I suspect very few were delivered into our neighborhood. Additionally, these were sent on 11/3, not received until 11/6-11/7 and then the entire planning and zoning office was out of office 11/9-11/13 only leaving 2 business days for the community to voice concerns in advance of the meeting. This application was submitted in January 2023 and the fact that this rezoning is being rushed with very limited notice is very disappointing and concerning.

I urge you to disapprove this proposed rezoning, and from recent meetings and discussions with my neighbors, I know my opinions are shared by many who have not managed to write letters and emails.

Thank you for your continued service and support of our communities.

Best regards,

Scott & Diane Schmidt
5515 Cypress Point

From: Shawn Smith
Sent: Friday, November 10, 2023 8:58 PM
To: Brian James; planning@schertz.com
Subject: Zoning Schertz Gateway

Planning & Zoning Committee (including Samuel Haas, Senior Planner) -

I am writing to express my strong opposition to rezoning of approximately 65 acres of land from General Business District (GB) to Planned Development District (PDD), specifically titled "Schertz Gateway", generally located southeast to the IH 35 and Schwab Road. This development will be detrimental to the area, nearly all residents in the surrounding neighborhoods are completely opposed to the addition of commercial/retail, multi-family residential, and residential/low density multi-family housing that will cause traffic and safety problems, create even more problems with schools that are already over-capacity, destroy local wildlife habitat, increase the already existing issues with water pressure in the area, and potentially lower the property values of the existing community.

Traffic and safety of pedestrians are major areas of concern. Traffic jams on the access road of I-35 already exist up and down Schwab and there are often accidents. The local neighborhood traffic will disproportionately surge during morning and evening rush hours, causing traffic issues during critical times for the existing multiple existing neighborhoods. The traffic surge during morning rush hours will also negatively impact safety for children, since students walk to buses in the mornings. In general, the area traffic is continuing to increase, and heavy traffic is already common at times which may not have been anticipated. Additionally, the roads continue to increase with traffic hazardous including potholes and litter and this development will further exacerbate that hazard that could lead to accidents and create an unsafe situation for residents. There are already multiple large master planned communities and developments and continuing to rezone will strain the area and increase traffic and safety risk.

This development will create safety concerns as the local police are already 12 officers short and increasing the number of residents and adding commercial property presents a very dangerous situation for residents. As recently as last year a high-speed chase ended in this area and crime has been very relevant in this area. Theft of cars and break-ins have been rapidly increasing. This will increase response times drastically and create a very risky situation.

Schools in the area are already reported at overcapacity, and the council should not approve multi-family dwellings that creates or exacerbates a situation that will cause school concurrency to fail for this proposal and/or other approved plans. Additionally, bus drivers are limited and we already have issues with children being late to school and unsafely having to sit 3 across on the bus seats.

Wildlife has been observed in the area, and any development will destroy their habitat. Any planned development of the property should consider the continuing impact to local wildlife habitat. The area has lots of wildlife and has the potential to impact several endangered species, which should be investigated by the appropriate agency prior to approving development. Additionally, with nearby ranches these re-zoning threatens the ranch wildlife on these ranches. Lastly, continuing to develop the land will enhance the safety issues on the roads noted above as displacing the wildlife such as deer will lead to wildlife running into the roads and surrounding communities and causing accidents. Air pollution and litter would likely increase as well in these areas and threaten wildlife and humans' health.

Multiple complaints have been sent to the city regarding issues with water pressure in the area this development is purposed. This issue occurs around the clock but especially during peak usage hours the surrounding neighborhoods

have decreased access to water and putting increased pressure on these systems threatens the already large issue residents are experiencing. This is a true human health risk and should be weighed heavily.

Property values are likely to go down in the area if multi-family apartments or condominiums are built. Multifamily dwellings are inconsistent with the neighborhoods developed in the area. I am very disappointed that only a limited number of notices were mailed even though this largely impacts the entire surrounding communities. There was no indication of where the notifications were sent, but I suspect very few were delivered into our neighborhood. Additionally, these were sent on 11/3, not received until 11/6-11/7 and then the entire planning and zoning office was out of office 11/9-11/13 only leaving 2 business days for the community to voice concerns in advance of the meeting. This application was submitted in January 2023 and the fact that this rezoning is being rushed with very limited notice is very disappointing and concerning.

I urge you to disapprove the proposed rezoning, and from recent meetings and discussions with my neighbors, I know my opinions are shared by many who have not managed to attend meeting or write letters and emails.

Thank you for your continued service and support of our communities.

Best regards,

Shawn D Smith
4646 Pecos Point
Schertz TX 78108

Shawn D. Smith
Mobile Notary Public

Sent from my iPhone

From: Sherri S
Sent: Saturday, November 11, 2023 8:56 AM
To: planning@schertz.com; Brian James; Samuel Haas
Subject: Rezoning Plan

Dear Samuel Haas, Senior Planner and Schertz Planning and Zoning:

I am writing to express my strong opposition to rezoning of PLPDD20220214 approximately 65 acres of land from General Business District (GB) to Planned Development District (PDD), specifically titled "Schertz Gateway", generally located southeast to the IH 35 and Schwab Road. This development will be detrimental to the area, nearly all residents in the surrounding neighborhoods are completely opposed to the addition of commercial/retail, multi-family residential, and residential/low density multi-family housing that will cause traffic and safety problems, create even more problems with schools that are already over-capacity, destroy local wildlife habitat, increase the already existing issues with water pressure in the area, and potentially lower the property values of the existing community.

Traffic and safety of pedestrians are major areas of concern. Traffic jams on the access road of I-35 already exist up and down Schwab and there are often accidents. The local neighborhood traffic will disproportionately surge during morning and evening rush hours, causing traffic issues during critical times for the existing multiple existing neighborhoods. The traffic surge during morning rush hours will also negatively impact safety for children, since students walk to buses in the mornings. In general, the area traffic is continuing to increase, and heavy traffic is already common at times which may not have been anticipated. Additionally, the roads continue to increase with traffic hazardous including potholes and litter and this development will further exacerbate that hazard that could lead to accidents and create an unsafe situation for residents. There are already multiple large master planned communities and developments and continuing to rezone will strain the area and increase traffic and safety risk.

This development will create safety concerns as the local police are already 12 officers short and increasing the number of residents and adding commercial property presents a very dangerous situation for residents. As recently as last year a high-speed chase ended in this area and crime has been very relevant in this area. Theft of cars and break-ins have been rapidly increasing. This will increase response times drastically and create a very risky situation.

Schools in the area are already reported at overcapacity, and the council should not approve multi-family dwellings that creates or exacerbates a situation that will cause school concurrency to fail for this proposal and/or other approved plans. Additionally, bus drivers are limited, and we already have issues with children being late to school and unsafely having to sit 3 across on the bus seats.

Wildlife has been observed in the area, and any development will destroy their habitat. Any planned development of the property should consider the continuing impact to local wildlife habitat. The area has lots of wildlife and has the potential to impact several endangered species, which should be investigated by the appropriate agency prior to approving development. Just yesterday a deer was killed by a driver in our neighborhood.

Additionally, with nearby ranches these re-zoning threatens the ranch wildlife on these ranches. Lastly, continuing to develop the land will enhance the safety issues on the roads noted above as displacing the wildlife such as deer will lead to wildlife running into the roads and surrounding communities and causing accidents. Air pollution and litter would likely increase as well in these areas and threaten wildlife and humans' health.

Multiple complaints have been sent to the city regarding issues with water pressure in the area this development is proposed. This issue occurs around the clock but especially during peak usage hours the surrounding neighborhoods

have decreased access to water and putting increased pressure on these systems threatens the already large issue residents are experiencing. This is a true human health risk and should be weighed heavily.

Property values are likely to go down in the area if multi-family apartments or condominiums are built. Multi-family dwellings are inconsistent with the neighborhoods developed in the area. I am very disappointed that only a limited number of notices were mailed even though this largely impacts the entire surrounding communities. There was no indication of where the notifications were sent, but I suspect very few were delivered into our neighborhood. Additionally, these were sent on 11/3, not received until 11/6-11/7 and then the entire planning and zoning office was out of office 11/9-11/13 only leaving 2 business days for the community to voice concerns in advance of the meeting. This application was submitted in January 2023 and the fact that this rezoning is being rushed with very limited notice is extremely disappointing and concerning.

I strongly urge you to disapprove the proposed rezoning, and from recent meetings and discussions with my neighbors, I know my opinions are shared by many who have not managed to attend meetings or write letters and emails.

Thank you for your support of our communities.

Regards,

Sherri Ansley
5217 Nature Path
Schertz, TX 78154

From: Stephanie Chelar
Sent: Thursday, November 9, 2023 2:34 PM
To: Brian James
Subject: Cypress point

My name is Stephanie Chelar and I live at 4535 Meadow Green in Schertz Texas in the Cypress point neighborhood

I am against the rezoning in the area next to us due to the fact that we're not sure if there's enough fire or EMS support, the streets can't support it, and water pressure is already low and I don't know what that would do to the apartments going up next to us. Please provide more research and look into how this would affect the existing neighborhood.

Thank you
Sent from my iPhone

From: Stephanie Chelar
Sent: Monday, November 13, 2023 10:09 AM
To: planning@schertz.com
Cc: Brian James
Subject: Cypress point rezoning

Dear Planning & Zoning Committee (including Samuel Haas, Senior Planner)

I am writing to express my strong opposition to rezoning of PLPDD20220214 approximately 65 acres of land from General Business District (GB) to Planned Development District (PDD), specifically titled "Schertz Gateway", generally located southeast to the IH 35 and Schwab Road. This development will be detrimental to the area, nearly all residents in the surrounding neighborhoods are completely opposed to the addition of commercial/retail, multi-family residential, and residential/low density multi-family housing that will cause traffic and safety problems, create even more problems with schools that are already over-capacity, destroy local wildlife habitat, increase the already existing issues with water pressure in the area, and potentially lower the property values of the existing community.

Traffic and safety of pedestrians are major areas of concern. Traffic jams on the access road of I35 already exist up and down Schwab and there are often accidents. The local neighborhood traffic will disproportionately surge during morning and evening rush hours, causing traffic issues during critical times for the existing multiple existing neighborhoods. The traffic surge during morning rush hours will also negatively impact safety for children, since students walk to buses in the mornings. In general, the area traffic is continuing to increase, and heavy traffic is already common at times which may not have been anticipated. Additionally, the roads continue to increase with traffic hazardous including potholes and litter and this development will further exacerbate that hazard that could lead to accidents and create an unsafe situation for residents. There are already multiple large master planned communities and developments and continuing to rezone will strain the area and increase traffic and safety risk.

This development will create safety concerns as the local police are already 12 officers short and increasing the number of residents and adding commercial property presents a very dangerous situation for residents. As recently as last year a high-speed chase ended in this area and crime has been very relevant in this area. Theft of cars and break-ins have been rapidly increasing. This will increase response times drastically and create a very risky situation.

Schools in the area are already reported at overcapacity, and the council should not approve multi-family dwellings that creates or exacerbates a situation that will cause school concurrency to fail for this proposal and/or other approved plans. Additionally, bus drivers are limited, and we already have issues with children being late to school and unsafely having to sit 3 across on the bus seats. **My kindergartener comes home so late due to the lack of drivers and overfilled schools!**

Wildlife has been observed in the area, and any development will destroy their habitat. Any planned development of the property should consider the continuing impact to local wildlife habitat. The area has lots of wildlife and has the potential to impact several endangered species, which should be investigated by the appropriate agency prior to approving development. Additionally, with nearby ranches these re-zoning threatens the ranch wildlife on these ranches. Lastly, continuing to develop the land will enhance the safety issues on the roads noted above as displacing the wildlife such as deer will lead to wildlife running into the roads and surrounding communities and causing accidents. Air pollution and litter would likely increase as well in these areas and threaten wildlife and humans' health.

Property values are likely to go down in the area if multi-family apartments or condominiums are built. Multifamily dwellings are inconsistent with the neighborhoods developed in the area. **I am very disappointed that only a limited number of notices were mailed even though this largely impacts the entire surrounding communities.** There was no

indication of where the notifications were sent, but I suspect very few were delivered into our neighborhood. Additionally, these were sent on 11/3, not received until 11/6-11/7 and then the entire planning and zoning office was out of office 11/9-11/13 only leaving 2 business days for the community to voice concerns in advance of the meeting. This application was submitted in January 2023 and the fact that this rezoning is being rushed with very limited notice is very disappointing and concerning. I urge you to disapprove the proposed rezoning, and from recent meetings and discussions with my neighbors, I know my opinions are shared by many who have not managed to attend meeting or write letters and emails. Thank you for your continued service and support of our communities. Best regards,

MY FULL NAME IS: Stephanie and Joseph Chelar

MY HOME ADDRESS IS: 4535 Meadow Green, Schertz, TX 78108

--

Stephanie Chelar M.S., CPRP

NCSA-CPT

Zyia Active Independent Rep.

From: Steven Aune
Sent: Monday, November 13, 2023 9:10 AM
To: planning@schertz.com; Brian James; Tiffany Aune
Subject: Opposition of PLPDD20220214

Good morning,

I'm writing to you to express my sincere opposition to the rezoning of the property that borders Cypress Point that will include commercial/retail & multi-family residential (ex: apartments). While I can understand the need for additional development, rezoning this parcel will negatively impact the quality of life for the residents bordering this project. The area is simply not prepared for the amount of new residents this development will bring.

Traffic & Roads

The stretch of I-35 adjacent to this parcel is already known for some of the most traffic congestion in the San Antonio metro area and the scene of frequent accidents. With the recent additions of QT and the continuing operations of Sysco and Amazon has already led to a significant increase in truck traffic and congestion along the frontage roads. South East of the parcel is bordered by Green Valley Road, a very narrow 2 way track that is already not sufficiently designed and maintained enough to accommodate the current amount of traffic. The roads that surround the project are in severe disrepair with potholes causing damage to motorist vehicles. The drastic increase in traffic will only exacerbate the deterioration of road surfaces.

Schools

Comal Creek Elementary was just opened and we as parents are just starting to see improvements in overcrowding. But, Danville Middle School, and Davenport High School are still reeling from the effects of overcrowding and understaffing. There's a severe shortage of bus drivers and this development will push the situation beyond critical.

Infrastructure

The existing municipal infrastructure has already proven to be challenging for the City to maintain. Water pressure is a constant issue and breaks in the mains have been an issue. This project will also likely require significant municipal investment to accommodate the influx of residents and business. These are tax dollars being spent on future residents. But, paid for by current property owners. How is that fair?

Public Safety

Beyond the increase of traffic related incidents that this development will cause, residents will also see an increase in crime. More people = more crime. This has been seen time and time again. With every new development we have seen increases in property crime. Vehicular and residential burglaries will increase. Is there a plan in place to increase police budgets to account for this? Response times to the neighborhood are already a challenge due to this being on the edge of the jurisdiction. Homeless encounters and curbside drug use are already the norm in the area. The addition of more commercial properties and apartments will only increase the frequencies of these encounters.

Property Values

Property values are likely to go down in the area if multi-family apartments or condominiums are built. Multifamily dwellings are inconsistent with the neighborhoods developed in the area.

Environment & Health

Wildlife are routinely observed in the area, and any development will destroy their habitat. Any planned development of the property should consider the continuing impact to local wildlife habitat. The area has lots of wildlife and has the potential to impact several endangered species, which should be investigated by the appropriate agency prior to approving development. Additionally, with nearby ranches these re-zoning threatens the ranch wildlife on these ranches. Lastly, continuing to develop the land will enhance the safety issues on the roads noted above as displacing the wildlife such as deer will lead to wildlife running into the roads and surrounding communities and causing accidents. Air pollution and litter would likely increase as well in these areas and threaten wildlife and humans' health.

As a Husband, Father of 3, Resident, and TAXPAYER, I strongly urge you to disapprove of the proposed rezoning, and from recent meetings and discussions with my neighbors, I know my opinions are shared by many who have not managed to attend meetings or write letters and emails. Thank you for your continued service and support of our communities.

Best Regards,
Steve Aune
5462 Cypress Point
Schertz, TX 78108

EM:
Can Do!
- U.S. Navy Seabee Motto

From: Sukanya Nadkarni
Sent: Saturday, November 11, 2023 8:59 PM
To: planning@schertz.com
Cc: Brian James
Subject: opposition of PLPDD20220214

Dear Planning & Zoning Committee (including *Samuel Haas, Senior Planner*),

I am writing to express my strong opposition to rezoning of PLPDD20220214 approximately 65 acres of land from General Business District (GB) to Planned Development District (PDD), specifically titled "Schertz Gateway", generally located southeast to the IH 35 and Schwab Road.

This development will be detrimental to the area, nearly all residents in the surrounding neighborhoods are completely opposed to the addition of commercial/retail, multi-family residential, and residential/low density multi-family housing that will cause traffic and safety problems, create even more problems with schools that are already over-capacity, destroy local wildlife habitat, increase the already existing issues with water pressure in the area, and potentially lower the property values of the existing community.

As a homeowner, my biggest concern is that property values are likely to go down in the area if multi-family apartments or condominiums are built. If I wanted to live next to an apartment complex, I would have moved to San Antonio. Multifamily dwellings are inconsistent with the neighborhoods developed in this area.

Traffic and safety of pedestrians are major areas of concern. Traffic jams on the access road of I-35 already exist up and down Schwab and there are often accidents. The local neighborhood traffic will disproportionately surge during morning and evening rush hours, causing traffic issues during critical times for the existing multiple existing neighborhoods. The traffic surge during morning rush hours will also negatively impact safety for children, since students walk to buses in the mornings. In general, the area traffic is continuing to increase, and heavy traffic is already common at times which may not have been anticipated.

Additionally, the roads continue to increase with traffic hazardous including potholes and litter and this development will further exacerbate that hazard that could lead to accidents and create an unsafe situation for residents. There are already multiple large master planned communities and developments and continuing to rezone will strain the area and increase traffic and safety risk.

This development will create safety concerns as the local police are already 12 officers short and increasing the number of residents and adding commercial property presents a very dangerous situation for residents. As recently as last year a high-speed chase ended in this area and crime has been very relevant in this area. Theft of cars and break-ins have been rapidly increasing. This will increase response times drastically and create a very risky situation.

Schools in the area are already reported at overcapacity, and the council should not approve multi-family dwellings that creates or exacerbates a situation that will cause school concurrency to fail for this proposal and/or other approved plans. Additionally, bus drivers are limited, and we already have issues with children being late to school and unsafely having to sit 3 across on the bus seats.

Wildlife has been observed in the area, and any development will destroy their habitat. Any planned development of the property should consider the continuing impact to local wildlife habitat. The area has lots of wildlife and has the potential to impact several endangered species, which should be investigated by the appropriate agency prior to approving development.

Additionally, this re-zoning threatens the ranch wildlife on nearby ranches. Continuing to develop the land will exacerbate the safety issues on the roads noted above. Displacing the wildlife, such as deer, will lead to wildlife running into the roads and surrounding communities and causing accidents. Air pollution and litter would likely increase as well in these areas and threaten wildlife and human health.

Multiple complaints have been sent to the city regarding issues with water pressure in the area this development is proposed. This issue occurs around the clock but especially during peak usage hours the surrounding neighborhoods have decreased access to water and putting increased pressure on these systems threatens the already large issue residents are experiencing. This is a true human health risk and should be weighed heavily.

Please note, I am also very disappointed that only a limited number of notices were mailed even though this largely impacts the entire surrounding communities. There was no indication of where the notifications were sent, but I suspect very few were delivered into our neighborhood. Additionally, these were sent on 11/3, not received until 11/6-11/7 and then the entire planning and zoning office was out of office 11/9-11/13 only leaving 2 business days for the community to voice concerns in advance of the meeting.

This application was submitted in January 2023 and the fact that this rezoning is being rushed with very limited notice is very disappointing and concerning.

I urge you to disapprove of the proposed rezoning, and from recent meetings and discussions with my neighbors, I know my opinions are shared by many who have not managed to attend meetings or write letters and emails.

Thank you for your continued service and support of our great city.

Kind regards,

Sukanya Nadkarni

Owner and Resident of:
5047 Top Ridge Lane
Schertz, TX 781008

Samuel Haas

From: Symone
Sent: Tuesday, November 14, 2023 2:27 PM
To: planning@schertz.com
Subject: PLSPU20230206

Dear Mr. Haas and The City of Schertz Planning and Zoning Commission,

I am writing concerning PLSPU20230206, the Specific Use Permit to allow a convenience store with gasoline pumps at the intersection of Schaefer Road and FM 1518 (11786 Schaefer Road, Schertz, TX 78154). As the mother of 2 young children living within 200 ft of the proposed gasoline pumps, I am strongly oppose to the City of Schertz granting this permit. The health risks of daily exposure to benzene and other toxins posed by living in close proximity to gasoline pumps are simply too grave. We are already exposed to jet fuels, air and noise pollutants coming from the JBSA flight line, however those concerns were present at the time of purchasing our home.

Setback distance limits for constructing gas stations adjacent to residential homes don't adequately account for toxic vapor fumes. The setback calculations generally assume about 0.1 lbs of fuel vapor emitted per 1,000 gallons of gasoline. Unfortunately, despite modern safety regulations and equipment, observed evaporative vapor losses are actually in the 1.4 to 1.7 lbs per 1,000 gallon range (over ten times higher than estimated). Not surprisingly, numerous municipalities across the country have deemed even California's 300 ft setback as woefully insufficient. Setbacks of 500 ft to 750 ft are becoming more common especially given that benzene is being detected well over 300 ft from gasoline dispensing facilities. No amount of benzene is safe. This proposed convenience store with gas pumps significantly jeopardizes the health of several families with children living within 200 ft of the proposed site. If we're responsible enough to consider a 300 ft buffer, the number of impacted households increases more than twofold. Furthermore, the recently constructed Rose Garden Elementary School lies directly across the street and within 300 ft of the proposed pumps. Not only does this pose health risks to the students and faculty, but it also adds to the existing traffic congestion where numerous accidents have already transpired.

The detrimental impacts of this proposal extend beyond the substantial health and safety risks that would burden this community. Nationally, convenience store holdups account for 6% of all robberies. This proposal stands to increase the risk of crime in very close proximity to an elementary school. The Willow Grove neighborhood, already forced to contend with the light pollution and displeasing signage of the newly built Dollar General on the adjacent corner of Schaefer Road, would be further subjected to downward pressure on property values and damage its appeal as a safe, quiet neighborhood beside an elementary school.

I urge our city planners to do better by its residents and take necessary measures to ensure this proposal is denied. There are ample alternative uses for this plot that could actually improve the lives of surrounding residents rather than disrupt and endanger them.

Thank you for your time and efforts on this matter.

Sincerely,

Mrs. Symone Owens
10501 Pecan Branch
Schertz, TX 78154
uk_symone@yahoo.com

From: Ted Capra
Sent: Monday, November 13, 2023 8:53 PM
To: planning@schertz.com; Brian James
Subject: Rezoning Opposition to PLPDD20220214

Dear Planning & Zoning Committee (including Samuel Haas, Senior Planner);

I am writing to express my strong opposition to rezoning of PLPDD20220214 approximately 65 acres of land from General Business District (GB) to Planned Development District (PDD), specifically titled "Schertz Gateway", generally located southeast to the IH 35 and Schwab Road.

According to 2020, FBI Data; homes and apartment complexes are the number 1 most common location for violent crimes. Apartment complexes can be particularly dangerous. A combination of numerous people living in close proximity, a high turnover rate, and little control of who comes in and out can lead to a dangerous mix.

Moreover, tenants at these apartment complexes have less control over crime than those in residential homes. Apartment complexes are commercially owned properties, and thus, tenants are generally at the mercy of the property owner or manager to provide maintenance and security measures.

Apartment complexes bring with them traffic, noise, and the potential for crime. Not to mention the fact that the buildings can become more and more of an eyesore as they age. All of those factors can negatively impact demand for houses near and immediately adjacent to the complex.

KERA news in Dallas reports much of the violent crime in Dallas happens near apartment complexes.

University of Arkansas at Little Rock conducted research and determined large apartment complexes appear to increase the vulnerability of properties within 1000 feet to violent crime.

The University of Texas School of Law reports apartment complexes tend to have habitually high levels of violent crime. For example, at one apartment complex in Southeast Houston, 284 major crimes were recently reported in a single year—an average of one major crime every 1.3 days.

Relator.com reported that neighborhoods with high renter concentrations account for a 13.8% drop in property value.

Thank you for your continued service and support of our communities.
Best regards,

LTC(R) Ted and Lisa Capra

5491 Devonwood St
Schertz, Texas 78108

From: Terry Anglin
Sent: Friday, November 10, 2023 4:06 PM
To: planning@schertz.com; Brian James
Subject: Zoning Notice by Cypress Point

To Zoning Board,

I would like to oppose the zoning change at this time for the property located next to Cypress Point. I believe we are already pushing the limits on utilities in the area along with the roads cannot handle the additional traffic this will bring. I understand progress but there has to be responsible growth. Until you have the roads, utilities, law enforcement and safety for children and residence in place I believe this needs to be rejected.

I moved here 8.5 years ago and have watched the surrounding area be swallowed up so fast that it is making it a nightmare on the roads. I know government only truly cares about the money they put in your pockets but it is time to think of the people you already have in the area. I am not saying that more changes should be avoided in the long future but I don't believe Schertz is ready around our area called Cypress Point

Grow Responsibly should be the moto

Terry Anglin
5724 Cypress Point
Schertz, TX 78108

From: Vanessa Grant
Sent: Tuesday, November 14, 2023 4:36 PM
To: bjames@shertz.com; planning@schertz.com; ralphgutierrez@schertz.com
Subject: We don't want more apartments!!!!

Dear Planning & Zoning Committee (including Samuel Haas, Senior Planner)

I am writing to express my strong opposition to rezoning of approximately 65 acres of land from General Business District (GB) to Planned Development District (PDD), specifically titled "Schertz Gateway", generally located southeast to the IH 35 and Schwab Road. This development will be detrimental to the area, nearly all residents in the surrounding neighborhoods are completely opposed to the addition of commercial/retail, multi-family residential, and residential/low density multi-family housing that will cause traffic and safety problems, create even more problems with schools that are already over-capacity, destroy local wildlife habitat, increase the already existing issues with water pressure in the area, and potentially lower the property values of the existing community. Traffic and safety of pedestrians are major areas of concern. Traffic jams on the access road of I-35 already exist up and down Schwab and there are often accidents. The local neighborhood traffic will disproportionately surge during morning and evening rush hours, causing traffic issues during critical times for the existing multiple existing neighborhoods. The traffic surge during morning rush hours will also negatively impact safety for children, since students walk to buses in the mornings. In general, the area traffic is continuing to increase, and heavy traffic is already common at times which may not have been anticipated.

Additionally, the roads continue to increase with traffic hazardous including potholes and litter and this development will further exacerbate that hazard that could lead to accidents and create an unsafe situation for residents. There are already multiple large master planned communities and developments and continuing to rezone will strain the area and increase traffic and safety risk. This development will create safety concerns as the local police are already 12 officers short and increasing the number of residents and adding commercial property presents a very dangerous situation for residents.

As recently as last year a high-speed chase ended in this area and crime has been very relevant in this area. Theft of cars and break-ins have been rapidly increasing. This will increase response times drastically and create a very risky situation. Schools in the area are already reported at overcapacity, and the council should not approve multi-family dwellings that creates or exacerbates a situation that will cause school concurrency to fail for this proposal and/or other approved plans. Additionally, bus drivers are limited and we already have issues with children being late to school and unsafely having to sit 3 across on the bus seats. Wildlife has been observed in the area, and any development will destroy their habitat. Any planned development of the property should consider the continuing impact to local wildlife habitat. The area has lots of wildlife and has the potential to impact several endangered species, which should be investigated by the appropriate agency prior to approving development. Additionally, with nearby ranches these rezoning threatens the ranch wildlife on these ranches. Lastly, continuing to develop the land will enhance the safety issues on the roads noted above as displacing the wildlife such as deer will lead to wildlife running into the roads and surrounding communities and causing accidents. Air pollution and litter would likely increase as well in these areas and threaten wildlife and humans' health. Multiple complaints have been sent to the city regarding issues with water pressure in the area this development is purposed. This issue occurs around the clock but especially during peak usage hours the surrounding neighborhoods have decreased access to water and putting increased pressure on these systems threatens the already large issue residents are experiencing. This is a true human health risk and should be weighed heavily. Property values are likely to go down in the area if multi-family apartments or condominiums are built.

Multifamily dwellings are INCONSISTENT with the neighborhoods developed in the area. I am very DISAPPOINTED that only a limited number of notices were mailed even though this largely impacts the entire surrounding communities.

There was no indication of where the notifications were sent, but I suspect very few were delivered into our neighborhood. Additionally, these were sent on 11/3, not received until 11/6-11/7 and then the entire planning and zoning office was out of office 11/9-11/13 only leaving 2 business days for the community to voice concerns in advance of the meeting.

This application was submitted in January 2023 and the fact that this rezoning is being rushed with very limited notice is very disappointing and concerning.

I urge you to disapprove the proposed rezoning, and from recent meetings and discussions with my neighbors, I know my opinions are shared by many who have not managed to attend meeting or write letters and emails.

Thank you for your continued service and support of our communities. If you really care about the quality of life in Schertz you will not allow this to happen!

Best regards, MY FULL NAME IS: Vanessa GRANT
MY HOME ADDRESS IS:
5488 Devonwood street
Cibolo TX 78108

From: Wendi Potts
Sent: Wednesday, November 15, 2023 10:09 AM
To: planning@schertz.com

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Planning & Zoning Committee (including Samuel Haas, Senior Planner) - I am writing to express my strong opposition to rezoning of PLPDD20220214 approximately 65 acres of land from General Business District (GB) to Planned Development District (PDD), specifically titled "Schertz Gateway", generally located southeast to the IH 35 and Schwab Road. This development will be detrimental to the area, nearly all residents in the surrounding neighborhoods are completely opposed to the addition of commercial/retail, multi-family residential, and residential/low density multi-family housing that will cause traffic and safety problems, create even more problems with schools that are already over-capacity, destroy local wildlife habitat, increase the already existing issues with water pressure in the area, and potentially lower the property values of the existing community. Traffic and safety of pedestrians are major areas of concern. Traffic jams on the access road of I-35 already exist up and down Schwab and there are often accidents. The local neighborhood traffic will disproportionately surge during morning and evening rush hours, causing traffic issues during critical times for the existing multiple existing neighborhoods. The traffic surge during morning rush hours will also negatively impact safety for children, since students walk to buses in the mornings. In general, the area traffic is continuing to increase, and heavy traffic is already common at times which may not have been anticipated. Additionally, the roads continue to increase with traffic hazardous including potholes and litter and this development will further exacerbate that hazard that could lead to accidents and create an unsafe situation for residents. There are already multiple large master planned communities and developments and continuing to rezone will strain the area and increase traffic and safety risk. This development will create safety concerns as the local police are already 12 officers short and increasing the number of residents and adding commercial property presents a very dangerous situation for residents. As recently as last year a high-speed chase ended in this area and crime has been very relevant in this area. Theft of cars and break-ins have been rapidly increasing. This will increase response times drastically and create a very risky situation. Schools in the area are already reported at overcapacity, and the council should not approve multi-family dwellings that creates or exacerbates a situation that will cause school concurrency to fail for this proposal and/or other approved plans. Additionally, bus drivers are limited, and we already have issues with children being late to school and unsafely having to sit 3 across on the bus seats. Wildlife has been observed in the area, and any development will destroy their habitat. Any planned development of the property should consider the continuing impact to local wildlife habitat. The area has lots of wildlife and has the potential to impact several endangered species, which should be investigated by the appropriate agency prior to approving development. Additionally, with nearby ranches these re-zoning threatens the ranch wildlife on these ranches. Lastly, continuing to develop the land will enhance the safety issues on the roads noted above as displacing the wildlife such as deer will lead to wildlife running into the roads and surrounding communities and causing accidents. Air pollution and litter would likely increase as well in these areas and threaten wildlife and humans' health. Multiple complaints have been sent to the city regarding issues with water pressure in the area this development is proposed. This issue occurs around the clock but especially during peak usage hours the surrounding neighborhoods have decreased access to water and putting increased pressure on these systems threatens the already large issue residents are experiencing. This is a true human health risk and should be weighed heavily. Property values are likely to go down in the area if multi-family apartments or condominiums are built. Multifamily dwellings are inconsistent with the neighborhoods developed in the area. I am very disappointed that only a limited number of notices were mailed even though this largely impacts the entire surrounding communities. There was no indication of where the notifications were sent, but I suspect very few were delivered into our neighborhood. Additionally, these were sent on 11/3, not received until 11/6-11/7 and then the entire planning and zoning office was out of office 11/9-11/13 only leaving 2 business days for the community to voice concerns in advance of the meeting. This application was submitted in January 2023 and the fact that this rezoning is being rushed with very limited notice is very disappointing and

concerning. I urge you to disapprove the proposed rezoning, and from recent meetings and discussions with my neighbors, I know my opinions are shared by many who have not managed to attend meeting or write letters and emails. Thank you for your continued service and support of our communities.

Best regards,
Wendi Potts
2653 Gallant Fox Dr
Schertz, Tx 78108

From: Yadiri Tamez
Sent: Thursday, November 9, 2023 4:40 PM
To: Brian James; planning@schertz.com
Subject: Cypress Point Rezoning

Dear Planning & Zoning Committee (including Samuel Haas, Senior Planner) -

I am writing to express my strong opposition to rezoning of approximately 65 acres of land from General Business District (GB) to Planned Development District (PDD), specifically titled "Schertz Gateway", generally located southeast to the IH 35 and Schwab Road. This development will be detrimental to the area, nearly all residents in the surrounding neighborhoods are completely opposed to the addition of commercial/retail, multi-family residential, and residential/low density multi-family housing that will cause traffic and safety problems, create even more problems with schools that are already over-capacity, destroy local wildlife habitat, increase the already existing issues with water pressure in the area, and potentially lower the property values of the existing community.

Traffic and safety of pedestrians are major areas of concern. Traffic jams on the access road of I-35 already exist up and down Schwab and there are often accidents. The local neighborhood traffic will disproportionately surge during morning and evening rush hours, causing traffic issues during critical times for the existing multiple existing neighborhoods. The traffic surge during morning rush hours will also negatively impact safety for children, since students walk to buses in the mornings. In general, the area traffic is continuing to increase, and heavy traffic is already common at times which may not have been anticipated. Additionally, the roads continue to increase with traffic hazardous including potholes and litter and this development will further exacerbate that hazard that could lead to accidents and create an unsafe situation for residents. There are already multiple large master planned communities and developments and continuing to rezone will strain the area and increase traffic and safety risk.

This development will create safety concerns as the local police are already 12 officers short and increasing the number of residents and adding commercial property presents a very dangerous situation for residents. As recently as last year a high-speed chase ended in this area and crime has been very relevant in this area. Theft of cars and break-ins have been rapidly increasing. This will increase response times drastically and create a very risky situation.

Schools in the area are already reported at overcapacity, and the council should not approve multi-family dwellings that creates or exacerbates a situation that will cause school concurrency to fail for this proposal and/or other approved plans. Additionally, bus drivers are limited and we already have issues with children being late to school and unsafely having to sit 3 across on the bus seats.

Wildlife has been observed in the area, and any development will destroy their habitat. Any planned development of the property should consider the continuing impact to local wildlife habitat. The area has lots of wildlife and has the potential to impact several endangered species, which should be investigated by the appropriate agency prior to approving development. Additionally, with nearby ranches these re-zoning threatens the ranch wildlife on these ranches. Lastly, continuing to develop the land will enhance the safety issues on the roads noted above as displacing the wildlife such as deer will lead to wildlife running into the roads and surrounding communities and causing accidents. Air pollution and litter would likely increase as well in these areas and threaten wildlife and humans' health.

Multiple complaints have been sent to the city regarding issues with water pressure in the area this development is purposed. This issue occurs around the clock but especially during peak usage hours the surrounding neighborhoods

have decreased access to water and putting increased pressure on these systems threatens the already large issue residents are experiencing. This is a true human health risk and should be weighed heavily.

Property values are likely to go down in the area if multi-family apartments or condominiums are built. Multifamily dwellings are inconsistent with the neighborhoods developed in the area. I am very disappointed that only a limited number of notices were mailed even though this largely impacts the entire surrounding communities. There was no indication of where the notifications were sent, but I suspect very few were delivered into our neighborhood. Additionally, these were sent on 11/3, not received until 11/6-11/7 and then the entire planning and zoning office was out of office 11/9-11/13 only leaving 2 business days for the community to voice concerns in advance of the meeting. This application was submitted in January 2023 and the fact that this rezoning is being rushed with very limited notice is very disappointing and concerning.

I urge you to disapprove the proposed rezoning, and from recent meetings and discussions with my neighbors, I know my opinions are shared by many who have not managed to attend meeting or write letters and emails.

Thank you for your continued service and support of our communities.

Best regards,

MY FULL NAME IS: Yadiri & Charles Tamez

MY HOME ADDRESS IS: 4601 Falling Oak, Schertz, TX 78108

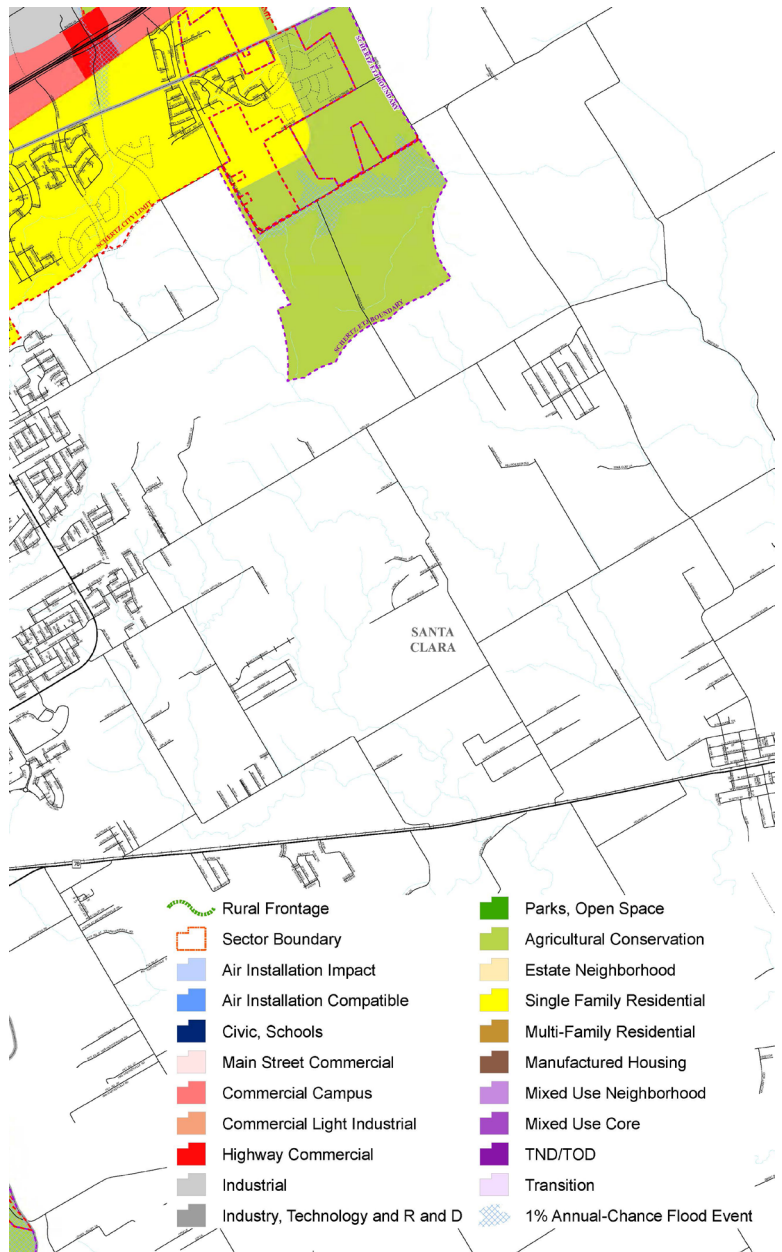
SCHERTZ GATEWAY PROJECT

A MATTER OF PERSPECTIVE: CHALLENGING INTERPRETATIONS IN PLANNING & ZONING.

ZONING FOR SINGLE FAMILY RESIDENTIAL

USE OF:
"MIXED
RESIDENTIAL
USE"





Zoning & Planning Misinterpretation of wording

“Mix of Residential Uses” does not mean apartments, multi-family or Mixed Use Area in Single Family Residential areas:

Zoning Code 21.5.5 explicitly defines a single-family residential area as consisting only of single-family detached dwellings. Not surprisingly, it does not include the term “mix of residential uses” within this classification. This omission implies that the zoning regulations strictly restrict the type of residential structures allowed in these areas, limiting them exclusively to single-family detached homes. The absence of the term “mix of residential uses” underscores the intention to maintain the homogeneity of single-family residential neighborhoods.

COMP PLAN DEFINITION:

The Planning and Zoning Staff are interpenetrating “Mix of Residential Uses” in the Single Family Residential comp plan definition solely as apartments which leads to confusion and a feeling of deception within the community. This is because the term “apartments” or “multi-residential” already has a clearly defined meaning in the UDC. By Planning and Zoning Staff limiting the concept of a “mix of residential uses” to just apartments, the City is overlooking other types of residential developments its actually intended to define such as mother-in-law suites.

Applying the term “mix of residential uses” to include apartments, multi-family units and Mixed-Use Districts would essentially redefine the classifications of R-1, R-2, R-3, R-6, and R-7 as representing Single Family Residential, Apartments, and Multi-Family and Mixed-Uses District housing types all in one. This would introduce a significant change in how residential areas are categorized and regulated, potentially impacting zoning regulations, land use planning, and overall urban development strategies. Such a broad interpretation of the term would require careful consideration of the implications and potential consequences for communities and local governments. There would be no need for Apartments/Multi-Family or Mixed-Use Developments to have there own definition in the Zoning Ordinance.

When the City of Schertz intentionally creates ambiguity in the definitions of its ordinances, it raises concerns about its transparency and true intentions. By leaving room for wide interpretation between the Comp plan and City Zoning Ordinance definitions, the city can manipulate the application of these ordinances to suit their needs, potentially leading to deceptive practices. This lack of clarity not only undermines the trust of the community but also makes it difficult for residents to fully understand such development plans. Clear and transparent definitions are crucial to ensure that the city’s intentions are genuine and that residents can trust in the fairness and consistency of the Cities leadership.

Consistency between a city's Comprehensive Plan and its zoning code ordinance definitions is crucial for effective urban planning. It is important that the language used in the Comprehensive Plan accurately reflects the current zoning code definitions. For example, if a Single Family Residential comp plan area is described in a way that could include apartments, it can create confusion and lead to mistrust. This inconsistency can result in unintended consequences and undermine the integrity of the city's planning efforts. Therefore, it is essential to ensure that the wording in the Comprehensive Plan aligns with the definitions and intentions of the zoning code ordinance to maintain clarity and avoid ambiguity.

Clear and Understandable City Documents for Informed Decision-making

Creating clear and understandable documents, rules, and ordinances is crucial for cities to provide their residents with the necessary information when deciding where to live. By presenting this information in a clear and concise manner, cities can empower their residents to make informed decisions that align with their needs and preferences. Clear zoning can outline important aspects such as zoning plans, enabling residents to understand the city's zoning areas and how they may impact their daily lives. This transparency fosters trust and confidence in the city's governance, ultimately contributing to a better quality of life for its residents.

The wording "Mix of Residential Uses" in the Single Family Residential definition should not be interpreted as some other type of use such as apartments. It simply means that within the designated single family residential area, there may be a combination of different types of single family homes, such as detached houses. This does not include apartments or multi-family dwellings, mixed-use development, as those fall under a different classification. It is important to understand the specific definitions and classifications used in planning and zoning to accurately interpret and apply them.



SCHERTZ GATEWAY PDD DEVELOPMENT

PROPOSAL TO,
SCHERTZ CITY COUNCIL
1400 Schertz Parkway Schertz TX

Planned Development District (PDD)

Applicability. The purpose of the Planned Development District is to promote and encourage **innovative** development that is sensitive to surrounding land uses and to the natural environment. If this necessitates varying from available zoning districts, the proposed development should demonstrate community benefits. A PDD should not be used to deviate from the provisions of the UDC in a way that contradicts its intent.

This re-zoning request is just to avoid the UDC and maximize population density and profits.

Glen Outlaw Said: THIS PROJECT IS EXACTLY WHAT CITY COUNCIL WAS AGAINST. THIS PROJECT IS USING THE PDD TO GET AROUND UDC.

Content

General Business (GB)

Criteria for Approval

Zoning Commissioners

Community Input

Why have Comp Plans

Parking

PDD

MIXED-USE DEVELOPMENT

REGIONAL COSTS

MAPS

GENERAL BUSINESS

GB is Intended to provide suitable areas for the development of non-residential uses which offer a wide variety of retail and service establishments that are generally oriented toward serving the overall needs of the entire community. These businesses are usually located on appropriately designed and attractively landscaped sites and along principal transportation corridors.

The Schertz Gateway Project area has been classified as General Business, and the residents of Schertz currently have no interest in altering this zoning designation. The implementation of a general business development in this vicinity has the potential to enhance the overall quality of life for the homeowners residing in this area. Given its distance from the main city area, it would be advisable to consider introducing certain services to cater to the needs of this community.

Deviating from the recommended Single Family Residential zoning outlined in the Comprehensive Plan is unnecessary and unwanted. The current zoning already designates this area for Single Family Residential and includes a supporting general business area.



To access services in Schertz or New Braunfels, it requires a minimum travel time of 15 minutes from the Homestead, Cypress Point, and Parklands areas.



The developer, Ocotillo Capital Partners had knowledge of the zoning regulations designating this area for general business purposes.

SERVICES NEEDED

Encouraging residents to travel to New Braunfels or Schertz for general services will further burden the taxed traffic system, leading to increased congestion and potential transportation issues.

Based on the attendance at the Zoning Commission meeting and the responses received by mail, it is evident that 98% of the residents you serve are in favor of keeping the area as a general business zone.

**98% of residence in
area want it to
remain General
Business.**

ZONING AND PLANNING NEED TO KEEP GB IN THIS AREA

The intersection of Frontage Rd. and Schwab Rd. offers a prime location to boost local businesses in the area. Additionally, the City's plans to expand along Eckhardt Rd. for zoned apartments could bring benefits for GB beyond the existing residents.

Home furnishing stores, art galleries, museums, beauty salons, barber shops, building material and hardware stores, and more can utilize this area. Additionally, as the city grows, it could also serve as a location for a combined fire and police station. This would help decrease response time for fire emergencies and provide a space for police officers to carry out administrative tasks, detain prisoners, conduct community outreach programs, refuel vehicles, and more.

The potential for a General Business development to diverge from the typical chain stores commonly found at I35 exits is significant. Given its strategic location near a highway and major transportation routes, this area has the potential to generate additional tax revenue from travelers commuting between Schertz, San Antonio, New Braunfels, and Austin.

Criteria for Approval - 21.5.10. F

1: Does the PDD implements the policies of the adopted Comprehensive Land Plan? NO

21.5.5- Apartments: should not be located in areas where they would increase traffic through single-family neighborhoods. This PDD is attempting to circumvent zoning rules.

2: Does the PDD promote health, safety, or general welfare of the City and the safe, orderly, efficient and healthful development of the City. NO

The increase in vehicular traffic along Froboese and Eckhardt will disrupt the general welfare of the residents. When traffic is congested, residential streets like Cypress Point are used as shortcuts, further exacerbating the problem. Additionally, the traffic at Frontage Rd and Schwab will lead to longer wait times and increased congestion. There is no intention of improving area roads to accommodate this increase in traffic.

Furthermore, the presence of over 2000 additional residents in this locality will place an excessive strain on the City's services, necessitating the reliance on neighboring cities for assistance through mutual aid.

3: Does the extent to which the proposed PDD will result in a superior development than could be achieved through conventional zoning.

This PDD serves as a means to circumvent the UDC and create extensive apartment complexes, paving the way for the transformation of Frontage Rd into another San Antonio-like apartment area.



The residential neighborhoods along Cypress Point, Kingswood St, Winged Elm, Forest Oak, and Falling Oak may experience a potential rise in traffic flow, indicated by the color red.

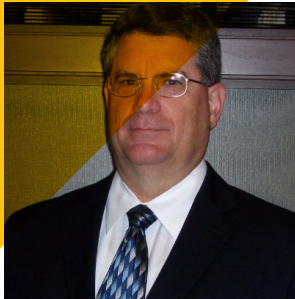
ZONING COMMISSIONERS



GLEN OUTLAW ZONING CHAIR

NOV 15TH 2023:

“DEVELOPERS ATTEMPT TO MAXIMIZE THERE PROJECT INVESTMENT BY USING THE PDD TO GET AROUND UDC”
CITY COUNCIL WORKSHOP ON PDD - THIS PROJECT IS EXACTLY WHAT THEY WERE AGAINST. THIS PROJECT IS USING THE PDD TO GET AROUND UDC.



RICHARD BRAUD

Where is the representation and why have public hearings ?

NOV 15TH 2023:

“I HAVE BEEN SITTING ON THIS COMMISSION FOR I DON’T KNOW 12 YEARS. I HAVE BEEN LIVING IN SCHERTZ FOR 25 YEARS. AND JUST ABOUT ALL YOUR COMPLAINTS WERE THE SAME COMPLAINTS THAT HAPPENED AT CYPRESS POINT, HOMESTEAD, PARKLANDS, RYAN VALLEY, CROSSVINE, MISTY OAKS AND JUST ABOUT EVERY DEVELOPMENT THAT’S HAS BEEN BUILT IN THE LAST 25YRS OR SO. ITS THE EXACT SAME COMMENTS. I HEAR YOU BECAUSE I HAVE A GENERAL BUSINESS LOT BEHIND MY HOUSE. I AM NOT TO EXCITED ABOUT IT, BUT ITS THERE. AND I BOUGHT MY HOUSE KNOWING THAT. SO I AM GOING TO HAVE TO LIVE WITH WHATEVER POPS UP BEHIND MY HOUSE. BUT I HEAR YOUR CONCERNS BUT THEY HAPPEN ON EVERY DEVELOPMENT. YOU ALL MENTIONED YOU MOVED TO SCHERTZ BECAUSE YOU LIKED IT HERE. YOUR HOUSE WASN’T HERE AT ONE POINT... DEVEL-OPMENTS LIKE THIS MIGHT NOT BE IDEAL. BUT IF THIS WASN’T SCHERTZ CITY LIMITS AND IT WAS COMAL COUNTY. YOU HAVE NO SAY WHATS SO EVER. NEITHER DOES THE CITY. THE COUNTY HAS NO ZONING LAWS. YOUR FORTUNATE THE CITY IS HERE TO HELP GUIDE DEVELOPMENT. WE HAVE HEARD IT ALL BEFORE AND DEVELOPMENT RESOLVES THOSE KINDS OF PROBLEMS. “

COMPREHENSIVE LAND PLAN

The Comprehensive Land Plan, as amended, serves as the community's blueprint for future development by providing guidelines for the appropriate location, concentration, and intensity of future development by land use categories.

The zoning commissioners appear to think that the developer holds more influence over the comprehensive plan than the city does.

City staff and the Planning and Zoning Commission have the duty to evaluate if the development aligns with the City's goals and objectives as outlined in the City's Plan. This project does not.

This PDD doesn't keep in line with the goals in this area for General Business or Single Family Residential.



COMMUNITY INPUT

ZONE COMMISSIONERS DISMISSIVE

The Commissioners and City express their indifference towards the opinions and desires of the people of the community, stating that they have already heard it all before. **It appears deceptive to hold a public hearing that ultimately carries no significance or influence.**

If, for a period of 12 years, a significant number of individuals have consistently expressed their opposition to the construction of apartments in Schertz during public zoning commission meetings, it raises concerns about the motives behind the continued approval of such projects by the Zoning Commission and City Council. This situation could be perceived as either negligent or deceptive, as it suggests a lack of consideration for the community's input. If the Commission and Council show no genuine interest in the opinions and concerns of their constituents, the public hearing becomes nothing more than a superficial display.

RICHARD BRAUD SAID HE MOVED TO HIS HOME KNOWING THE PROPERTY BEHIND HIM WAS ZONED FOR GENERAL BUSINESS. THESE AREA RESIDENCE ALSO MOVED IN KNOWING IT WAS ZONED FOR GENERAL BUSINESS WITH A PLAN FOR SINGLE FAMILY RESIDENTIAL.



Ocotillo Captial Partners

PROJECTS

The City exerts its jurisdiction and for which one or more permits are required to initiate, continue, or complete the endeavor.



SECTION: 21.4.3 Posted Notice

POSTED NOTICE for zoning change shall be placed in area 11 days prior to the scheduled public hearing and shall remain posted during the course of the public hearing, until such time that final action as been taken on the permit application. **The notices were removed after the Zoning Commission hearing and are still down as of 1/1/2024 violating city ordinances.**



City Council

The City Council expressed their disapproval of using the PDD as a loophole to bypass the UDC, and this project precisely does that. It utilizes the PDD to alter the height restriction from 35ft to 45ft, while also allowing a mere 5ft setback for what are essentially apartments disguised as town homes. Moreover, it fails to allocate space for a sidewalk along Frobores and presents additional concerns.



Commission Chair

Area III to dense in Zoing Commission Chairs opinion during the zoning meeting.



21.1.8 Violations and penalties

Any person, firm, or corporation who shall violate any of the provisions of this UDC, or fails to comply therewith, or who shall violate or fail to comply with any order or regulation made hereunder is deemed guilty of a misdemeanor

COMPREHENSIVE LAND PLAN

Why Should Communities Plan

When a city such as Schertz engages in long-range planning, it has decided to take some measure of control over its destiny rather than standing still and reacting to change. In Schertz's case, the results of previous planning efforts are reflected in very tangible accomplishments across the community that was achieved through dedication and commitment to a shared vision.

The planning process involves major community decisions about how much and where the City will grow, what the nature of that growth will be, and whether the community can afford to provide the necessary public services and facilities to support this growth.

Neglecting to consider these decisions renders the expenditure of time and money on them futile. It is misleading to inform the community that you have a plan, only to deviate from it at every opportunity.

In 2001, the City Council established a set of zones that outline the expectations for all residents of the city. These zones reflect the shared vision of local leaders and residents to create a community that is attractive for living, working, and raising a family.

INCREASED TRAFFIC FLOW

Sec. 21.14.7. Traffic Impact Analysis

Application Requirements. Every application for development within the City or its ETJ shall be accompanied by a Traffic Impact Analysis (TIA) Determination Form provided in the Development Manual. The TIA Determination Form shall be utilized to determine if a TIA is required. **HAS SUCH TIA BEEN SUBMITTED ?**

Mid-Day Traffic Schwab / Frontage DEC 2023



PARKING

AREA II

At the public hearing the developer representative said there would be 1 parking space per bedroom.

Without the Planned Development District (PDD), each unit in Area II would need two parking spaces. This is why they are attempting to circumvent the Unified Development Code (UDC). If only 518 spaces are allocated, it is logical to anticipate the need for an additional 518 spaces for the second vehicle, which is commonly owned by most families in Texas.

500 additional cars would need 4,000ft or 1 mile of street parking.

AREA III

Parking for 299 apartments in Area III has not been taken into consideration. The only way to access Area III from there would be either through Froboese to Eckhardt and the residential neighborhood or Schwab Road.

PLANNED DEVELOPMENT DISTRICT NEEDED OR SCAM?

The purpose of the PDD is to promote and encourage innovation development that is sensitive to the surrounding land uses and to the natural environment. Sec. 21.5.10

Schertz Gateway lacks innovation and is nothing more than a typical apartment complex that can be found anywhere.

Planning and Zoning may be ignoring this section as it lacks innovation, disregards the impact on the surrounding neighborhood (with no plans to mitigate increased traffic), and requires the redirection of natural water sources to the designated area.

The proposed development differs from the existing zoning districts (GB) and/or Comp Plan Single Family Residential. The developer has not provided evidence of any community benefits associated with this project. It seems that their main objective is to maximize the number of apartments in a single area by utilizing the PDD. It appears that the Zoning and Planning department is supporting this approach.

**21.5.10
A PDD SHOULD NOT BE USED TO
DEVIATE FROM THE PROVISIONS
OF THE UDC IN A WAY THAT
CONTRADICTS ITS INTENT.**

PDD



Apartments shall be not higher than 35ft. Parking spaces per unit is minium of 2.

Apartments : The maximum density shall be twenty-four (24) units per acre. **Apartment/Multi-Family Residential Districts should not be located in areas where they would increase traffic through single-family neighborhoods** and should be located adjacent to arterial streets with sufficient capacity to carry the increased traffic generated. Multi-family developments are suitable buffers between single-family districts and commercial uses. Multi-family districts should be buffered from non-residential land uses and from pollution sources and environmental hazards. Twenty percent (20%) of the total platted area shall be provided as common, usable open space.

The UDC mandates the presence of buffers between apartments and general business areas. However, this project's PDD aims to remove this zone, thereby bypassing UCD regulations.

MIXED USE PLANNED DEVELOPMENT DISTRICT



What Is a Mixed Use Building in Texas and across the country:

A mixed use building is one that is partly occupied by residential uses and partly occupied by commercial and/or community facility uses. In a nutshell, a mixed use building is a single building housing three or more revenue-producing ventures such as housing, office, commercial, recreational or industrial spaces. For example, it is common for Texas mixed use buildings to include retail shops and restaurants on the first floor and offices and residential areas on the upper floors.

CITY OF SCHERTZ PROJECTS

Cost of Living

During the presentation, the zoning staff highlighted the rise in home prices and suggested that building apartments would address the need for affordable housing. However, this assertion is not based on factual information.

Schertz currently has an excess of unoccupied residential properties, including both homes and apartments, in the local area and nearby communities.

The price for renting these apartments is likely to be as high as the monthly mortgage payments. The present monthly payment for a 30-year fixed mortgage on a \$400,000 home purchase is approximately \$2,049 with an interest rate of 6.625%.

OCOTILLO CAPITAL PARTNERS

THEIR APARTMENTS IN AUSTIN FOR A 1 BATH 1 BED AT 608sq FT IS \$1407.00

THEIR APARTMENTS IN AUSTIN FOR A 1 BATH 3 BED AT 1485sq FT IS \$2599.00

Schertz, a regional community, is greatly influenced by the cities that surround it. The days of relying solely on local methods, such as building more apartments, to lower housing costs are long gone for this once small town.

Gateway

Deception by Omission

During a public meeting, a member of the City Council expressed their belief that by keeping the language of the regulations ambiguous, the City would have the freedom to construct apartment buildings in any location of their choosing.

Defending Zoning Rules

The City of Schertz must not shy away from defending its Zoning Codes in court, as doing so would enable developers to disregard the City and its residents. In the event of a court failure, it is imperative to improve the existing codes for better outcomes.

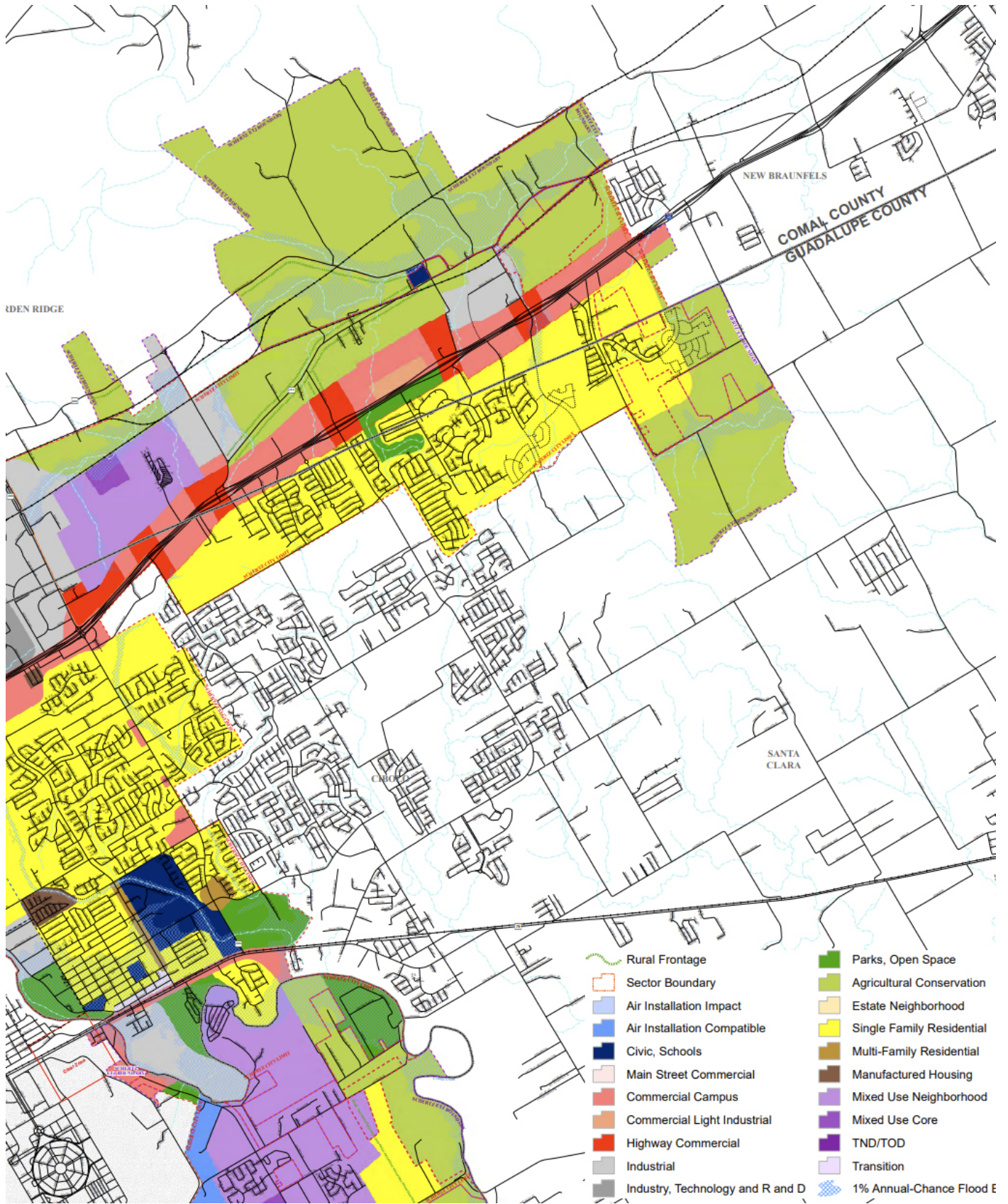
Cities Failure in Apartment Zoning

The City of Schertz has been given more than 12 years to consider the location and method of establishing apartment / multi-family zones, as well as determine if there is a necessity for them. It is unreasonable for the City to shift the blame onto its citizens for its failure to devise a plan. Instead, the City should conduct research on how to make these areas more agreeable to the community, and if unsuccessful, reconsider implementing such changes.

Gateway

Standards

The City of Schertz should strive for higher standards instead of seeking loopholes to bypass City Zoning Ordinances. In response to a request for communication records regarding this project, the City forwarded it to their City Attorneys and ultimately to the Texas Attorney General in order to avoid disclosing the requested information.



CYPRESS POINT HOA

HONESTY IN GOVERNMENT

**UN BIAS
GOVERNMENT**

Ord. 23-S-35

Schertz Gateway Planned Development District (PDD)

Samuel Haas | SENIOR PLANNER



- Subject Property Outlined in Green
- Approximately 65 acres of land
- Currently undeveloped
- General Business District (GB)

SCHERTZ
COMMUNITY • SERVICE • OPPORTUNITY

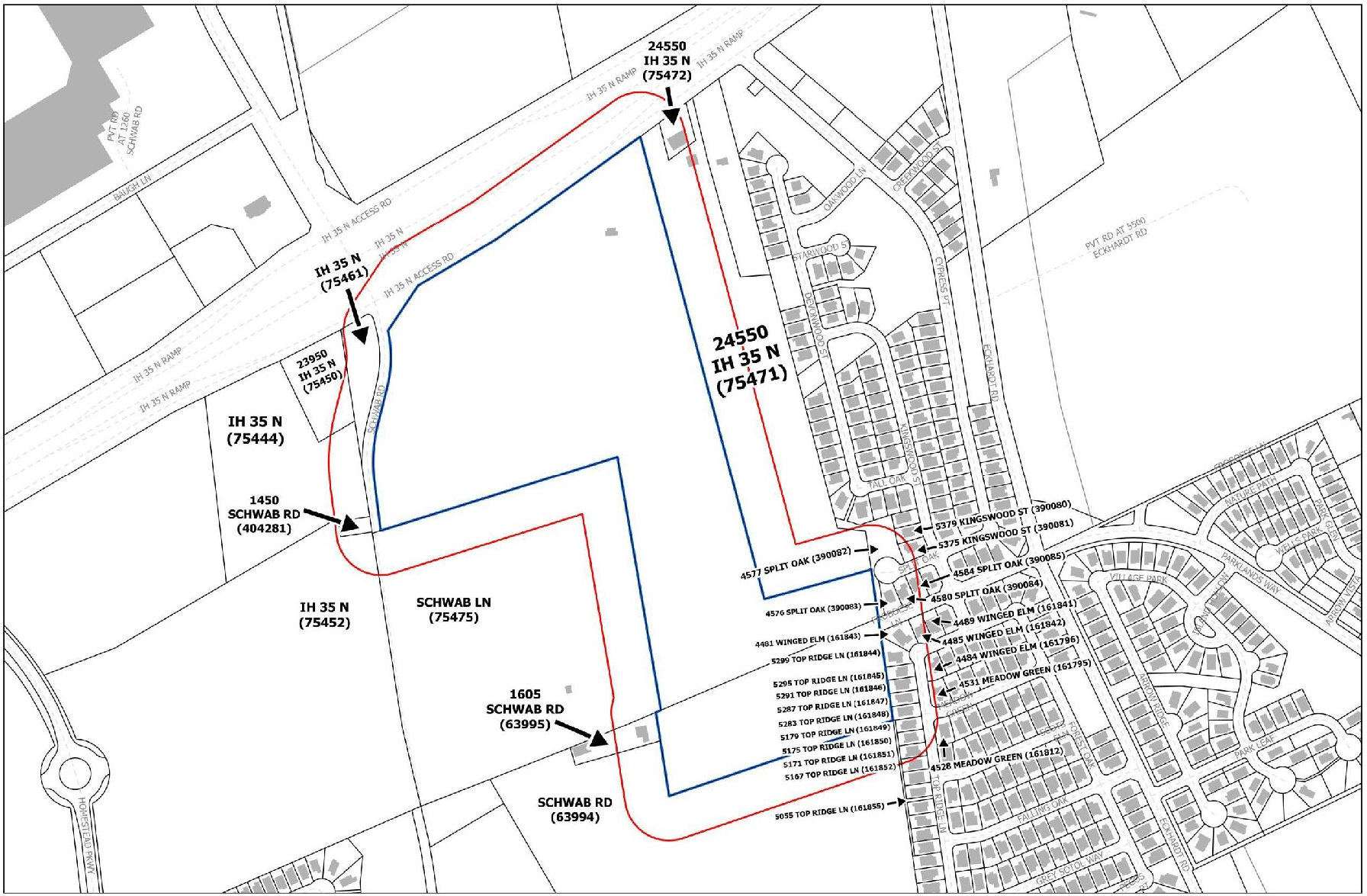
24500 IH-35 PDD
(PLPDD20220214)

Highways	Freeway	Planned Secondary Rural Arterial	1'	20'	Schertz Gravity	Schertz UR Station	County Boundaries
Major Roads	Principal Arterial	Planned Residential Collector	2'	24'	Schertz Pressure	CDBG Treatment Plant	Schertz Municipal Boundary
Minor Roads	Planned Principal Arterial	Planned Commercial Collector B	3'	30'	Neighboring Gravity	Subsidiary Treatment Plant	ETD
	Secondary Arterial	Commercial Collector A	4'	36"	Private Pressure		
	Planned Secondary Arterial	Planned Commercial Collector A	6"	Unknown			
	Secondary Rural Arterial						

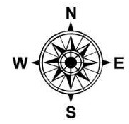
0 150 300 600 900 Feet

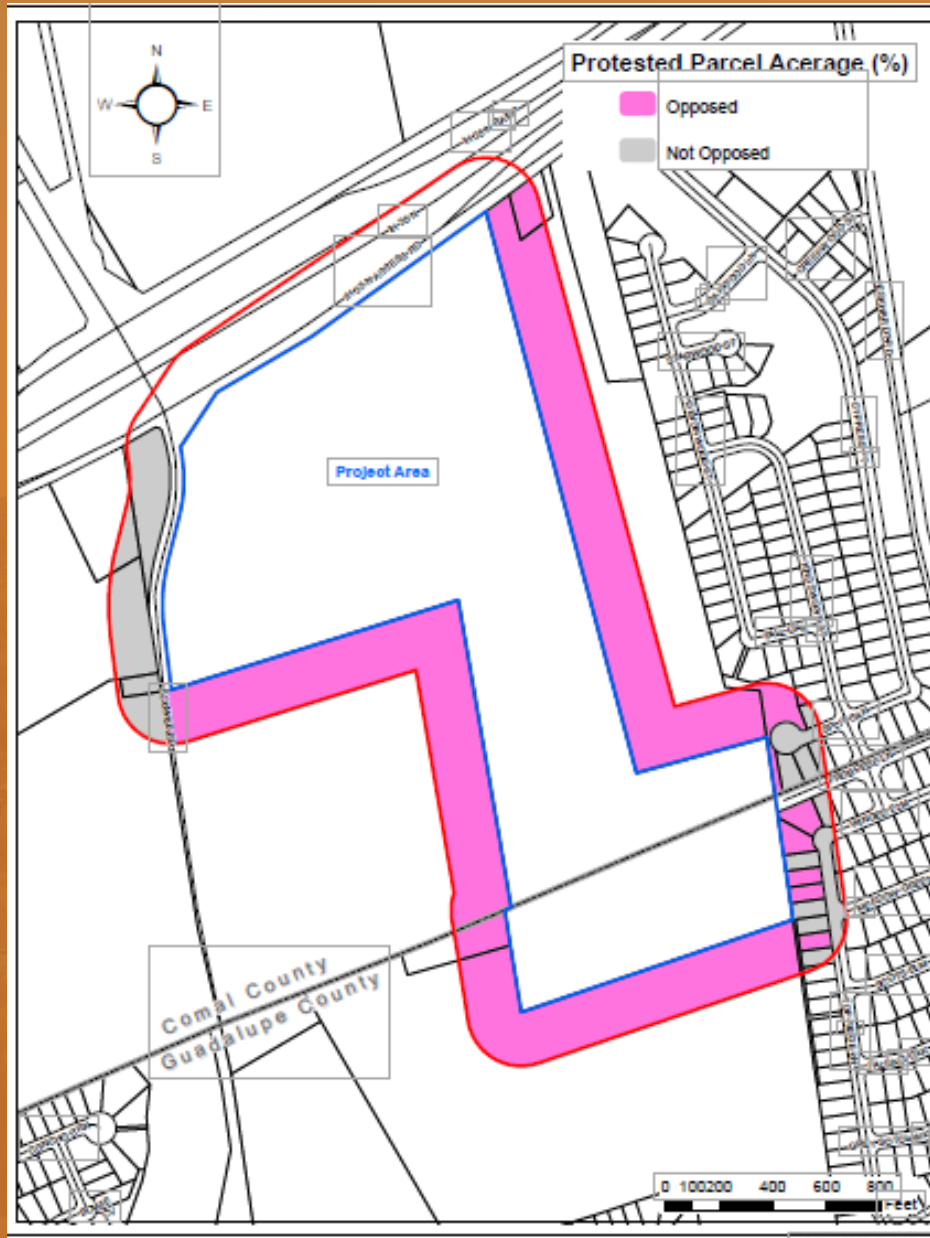
SCHERTZ

COMMUNITY. SERVICE. OPPORTUNITY.



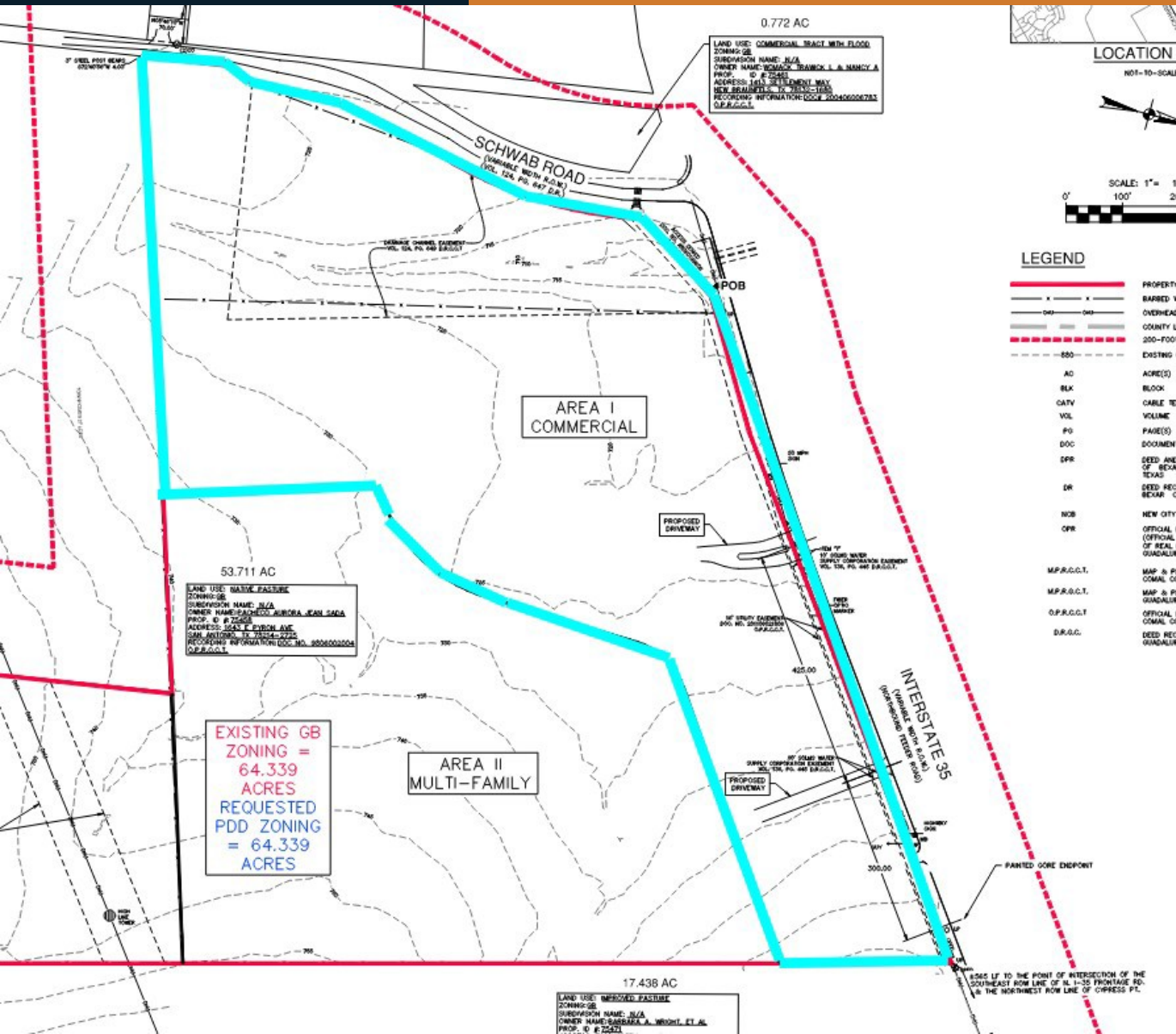
- November 3, 2023:
29 public hearing notices mailed
- Responses Received:
2- In Favor
58 - Opposed
- 2 Signs were posted
- December 20, 2023:
Public Hearing notice published in the "San Antonio Express"





- The owners of well over 20% of the property within the notice area have submitted written opposition to the proposed rezoning request.
- As such a $\frac{3}{4}$ vote of council is required to approved this rezoning request.

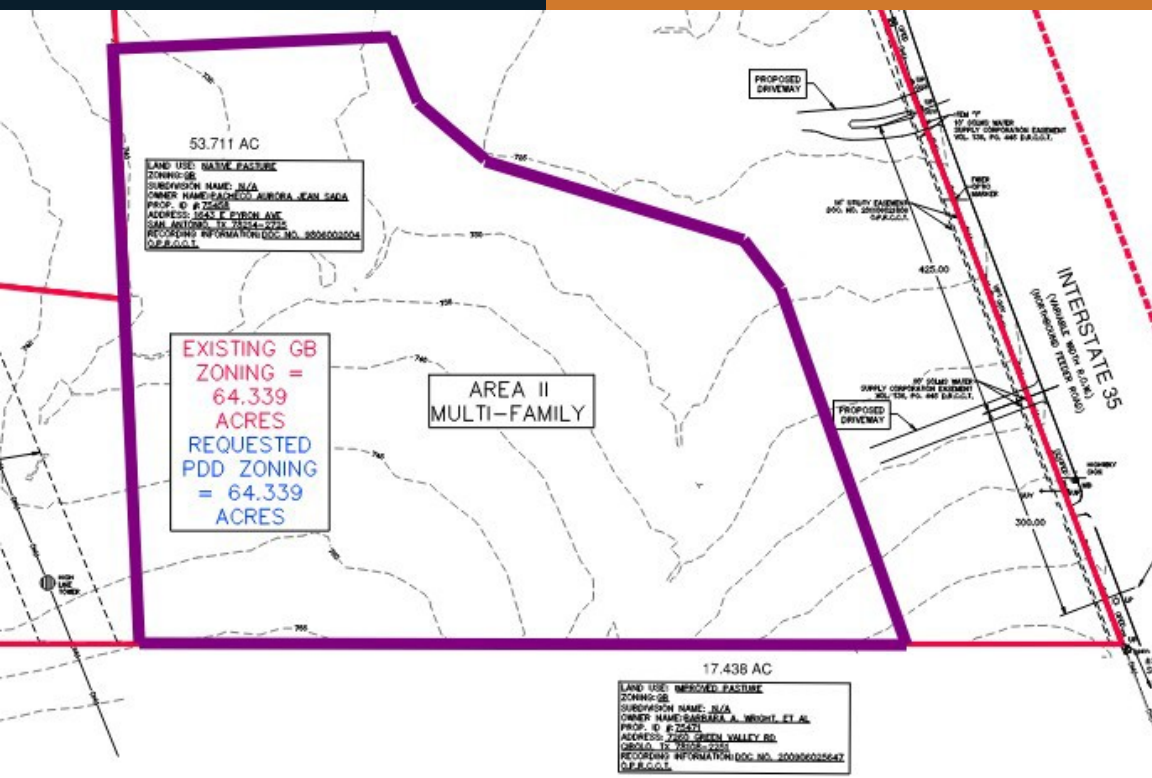
Schertz Gateway PDD



- Area I – Commercial
- 19.61 Acres
- GB Uses and a Convenience Store with Gas Pumps
 - GB Design Standards
- Trees planted at 3"
- Planned improvements to Schwab Road

Schertz Gateway PDD

- Area II – Multi-Family
- 14.8 Acres
- R-4 (Multi-Family) Use
- Trees planted at 3"
- 11 Trees per acre



Schertz Gateway PDD

Table II.A – Dimensional Requirements

		Minimum Lot Size			Minimum, Yard Setback (ft)			Misc. Lot Requirements	
Code	Classification	Area sf.	Width ft.	Depth ft.	Front ft.	Side ft.	Rear ft.	Max. Ht.	Max. Cover
R-4	Apartment/Multi-Family	10,000	100	100	25	10	20	45	75%

Multi-Family (R-4) development shall comply with the following:

- a. Maximum density shall not exceed 35 units per acre; maximum unit count of 518 units.
- b. Parking standards outlined for Area II in this PDD.
- c. Swimming pools count toward the maximum impervious cover limitations, unless the swimming pool is equipped with a water overflow device appropriate for such pool, and only if it drains into any pervious surface, in which case the water surface shall be excluded.
- d. No variances may be permitted to exceed the maximum impervious cover limitations.
- e. Design requirements of UDC Article 14, Section 21.14.3 unless noted otherwise within this PDD.

Schertz Gateway PDD

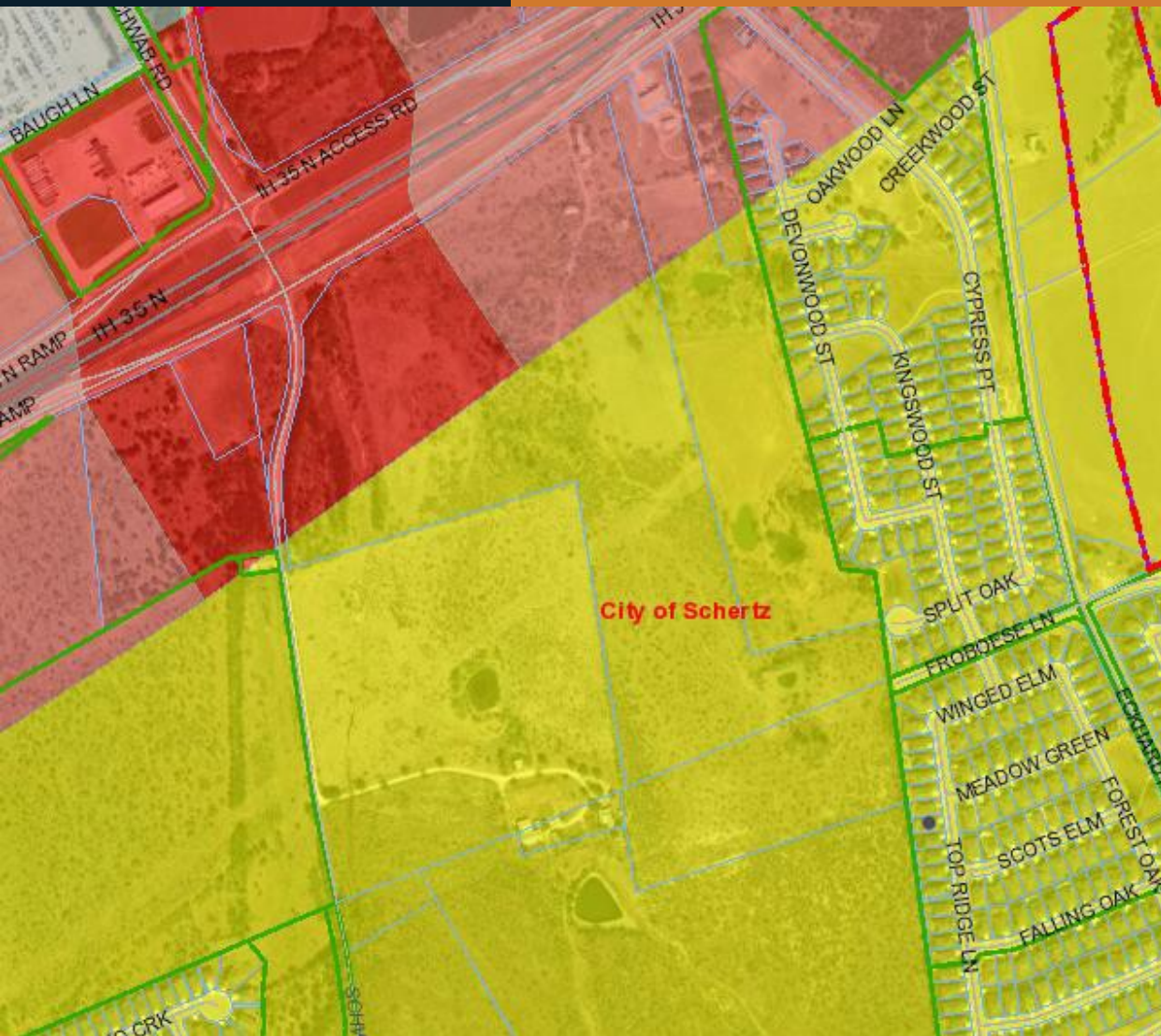
Table III.A – Dimensional Requirements


Code	Classification	Minimum Lot Size			Minimum, Yard Setback (ft)			Misc. Lot Requirements	
		Area sf.	Width ft.	Depth ft.	Front ft.	Side ft.	Rear ft.	Max. Ht.	Max. Cover
R-4	Apartment/Multi-Family	10,000	100	100	25	10	20	35 ft.	75%

Residential development shall comply with the following:


- a. The overall density shall not exceed 10 units per acre; maximum unit count of 299 units.
- b. Parking shall comply with the City’s “R-4” Multi-Family District standards.
- c. Swimming pools count toward the maximum impervious cover limitations, unless the swimming pool is equipped with a water overflow device appropriate for such pool, and only if it drains into any pervious surface, in which case the water surface shall be excluded.
- d. No variances may be permitted to exceed the maximum impervious cover limitations.

Comp Plan Conformance




 Single Family Residential

- Conventional detached dwelling. For areas proposed to utilize a traditional neighborhood design. May include a mix of residential uses and limited commercial.

 Commercial Campus

- Intended to encourage lower intensity commercial and office uses in locations that buffer major thoroughfares and residential uses.

 Highway Commercial

- Regional scale retail and commercial that take advantage of highway frontage.

Staff Analysis - Section 21.5.10.F

1. Whether the proposed PDD implements the policies of the adopted Comprehensive Land Plan, including the land use classification of the property on the Future Land Use Map?

Yes-

Area I - Primarily located within Highway Commercial and Commercial Campus

Area II & III - Some multi-family is consistent with "mixture of residential uses language"

Comp Plan:

- "Achieve an efficient, diverse and balanced pattern of land uses within the City and the ETJ."
- "Providing an appropriate mix of different land use types in suitable locations, densities and patterns consistent with the goals and objectives established in the Plan"
- "Housing should be developed to meet all needs of the community in terms of affordability, availability, adequacy and accessibility"

Staff Analysis - Section 21.5.10.F

2. Whether the proposed PDD promotes the health, safety, or general welfare of the City and the safe, orderly, efficient and healthful development of the City?

Yes-

Given the IH 35 corridor adjacent to the subject property, the proposed commercial in Area I is more appropriate adjacent to the right of way; also multi-family provides a better transition from the right of way and commercial than single family detached lots.

Staff Analysis - Section 21.5.10.F

3. Whether the uses permitted by the proposed change in zoning district classification and the standards applicable to such uses will be appropriate in the immediate area of the land to be reclassified?

Yes-

Given the surrounding area, the site development standards in the UDC for commercial and multi-family development and the use of commercial and multifamily are appropriate.

Staff Analysis - Section 21.5.10.F

4. Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers or other public services and utilities to the area?

Yes-

- Given the location of the subject property along the IH 35 right of way and the proximity of development, the city's various plans and infrastructure projects assume higher intensity development in this area, this includes a planned East-West Connector and improvements to Schwab Road in the Master Thoroughfare Plan.
- 2 Public hearing notices were sent to SCUCISD and Comal ISD, to the best of staff's knowledge, this change does not conflict with either districts campus forecasting.

Staff Analysis - Section 21.5.4.D

5. Whether there have been environmental and/or economical changes which warrant the requested change?

Yes-

- Significant increase in housing cost in past 10 years
 - From \$210,650 to \$430,000

Staff Analysis - Section 21.5.10.F

5.The extent to which the proposed PDD will result in a superior development than could be achieved through conventional zoning?

Yes-

- The proposed development provides opportunity for multiple uses. Residential and Commercial will occupy the same district and multi-family flexibility will offer opportunities for greater density than the base district.
- Increased landscaping

Staff Analysis - Section 21.5.10.F

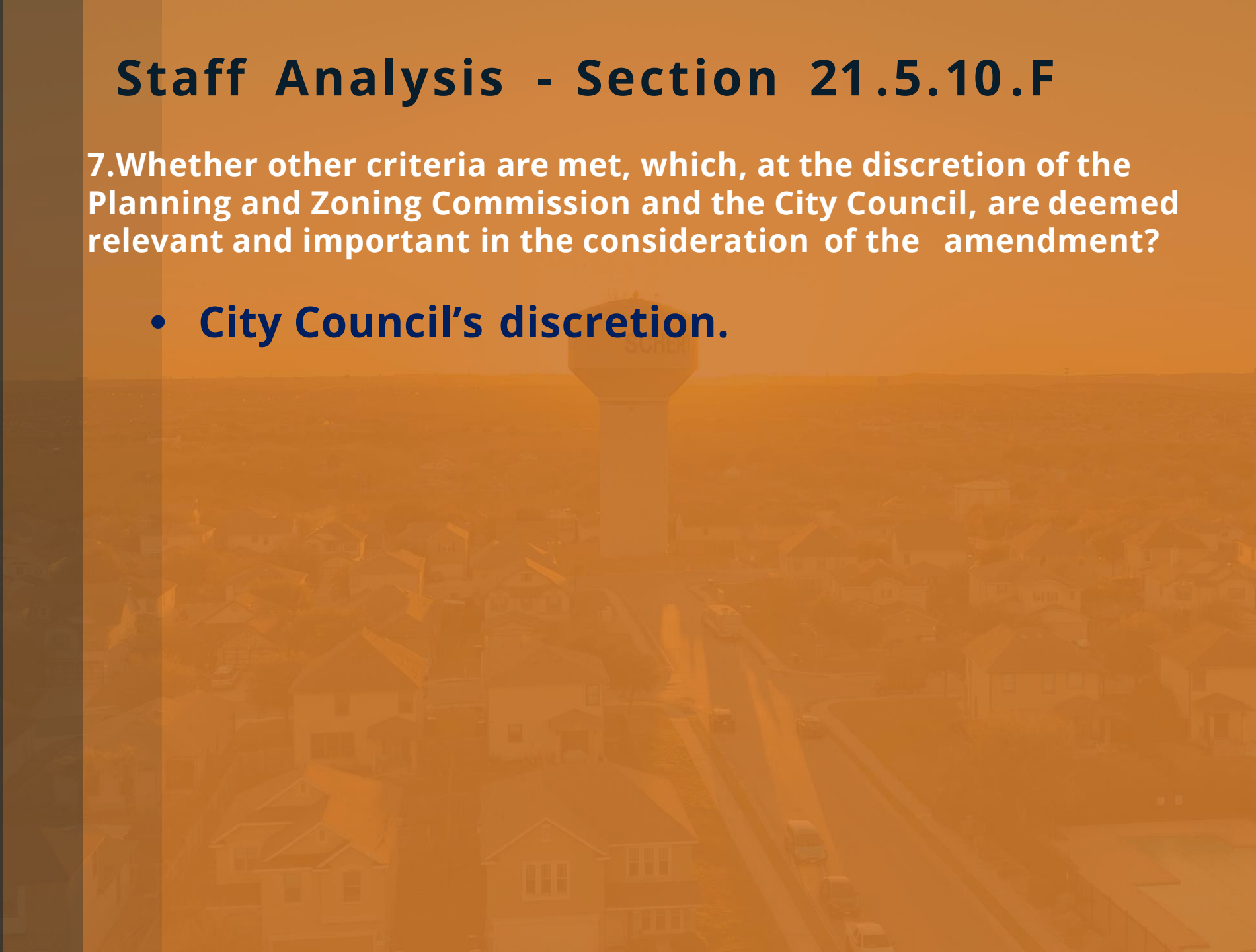
6. Whether all of the applicant's back taxed owed to the City have been paid in full (no application will receive final approval until all back taxes are paid in full?)

To the best of staff's knowledge taxes are paid and this does not impact consideration by City Council.

Staff Analysis - Section 21.5.10.F

7. Whether other criteria are met, which, at the discretion of the Planning and Zoning Commission and the City Council, are deemed relevant and important in the consideration of the amendment?

- **City Council's discretion.**



Staff Recommendation

- Proposed PDD Zoning conforms with the Comprehensive Plan and is consistent with the surrounding land uses.
- Satisfies Criteria of Approval for UDC Section 21.5.10.F
- Engineering, Planning, Fire, and Public Works, have reviewed the application with no objection.
- Staff recommends approval of Ord. 23-S-35 as presented and discussed – this includes changes proposed since the P&Z Meeting.
- The Planning and Zoning Commission met on November 15, 2023, and made a recommendation of approval with a 5-1 vote.
 - The approval had conditions that the base Multi-family Residential District (R-4) setbacks were to be used in Area III, along with a greater side building setback abutting the Cypress Point Subdivision.

COMMENTS & QUESTIONS

CITY COUNCIL MEMORANDUM

City Council Meeting: January 9, 2024
Department: City Secretary
Subject: Workshop-Council discuss Charter Review Topics

BACKGROUND

On December 5, 2023, the City Council approved Resolution 23-R-68 calling for a Charter Review and appoint a Charter Review Commission to review and present proposed amendments for the City Charter.

The term of office of the Charter Review Commission shall be 180 days after the date of the first meeting, said first meeting to occur within forty-five (45) days of the date of appointment. If during this term no report is presented to the City Council, then all records of the proceedings of the Commission shall be filed with the City Manager, then all the records of the proceedings of the Commission shall be filed with the City Manager and the Charter Review Commission shall be dismissed.

The following have been appointed to the Charter Review Commission:

Mr. Paul Wiley
Mr. David Bennett
Mr. Marcus Forte
Mr. Demetric Herron
Dr. Roger L. Booker
Ms. Michele Tereletsky
Mr. Chris Evans
Mr. Dana Eldridge
Ms. Danielle Craig
Mr. Benjamin Guerrero
Mr. Richard Dziewit
