



MEETING AGENDA
City Council
REGULAR SESSION CITY COUNCIL
January 16, 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 16, 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 Westbrook)

Proclamations:

- January 2024-School Board Recognition Month

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. **Resolution 24-R-04** - Approving the appointment of Police Reserve Officer Ryan McCosh to the Schertz Police Reserve Force. (S.Williams/J.Lowery)
2. **Resolution 23-R-137** - Authorizing a lease program agreement with Kinloch Equipment & Supply and expenditures with Doggett Freightliner of South Texas for replacement of the sewer vacor truck. (B.James/L.Busch/J.Moheit)
3. **Resolution 24-R-05** - Consideration and/or action by the City Council of the City of Schertz, Texas, approving a resolution authorizing the City Manager to submit a Hazard Mitigation Grant Program application, and accept grants funds if awarded, from the awarding agency for replacement of the generator supplying secondary power to our Public Safety Answering Point (PSAP) (Dispatch), Police Department, Emergency Medical Services, and the Fire Department. (S.Williams/G.Rodgers)
4. **Ordinance 23-S-35** - Approving 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. ***Final Reading*** (B.James/L.Wood/S.Haas)
5. **Resolution 24-R-01** - Authorizing expenditures with Alamo Restorations, LLC. for the EMS kitchen remodel. (B.James/D.Hardin-Trussell/C.Lonsberry)

Closed Session

6. 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

7. The City Council will meet in closed session under Section 551.074 of the Texas Government Code, Personnel Matters, to conduct the annual evaluation of the City Secretary, Ms. Sheila Edmondson.

Reconvene into Regular Session

8. Take any action based on discussion held in Closed Session under Agenda Item #6.
9. Take any action based on discussion held in Closed Session under Agenda Item #7.

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 11th DAY OF JANUARY 2024 AT 3:15 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 _____, 2024.

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 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-Chair 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 16, 2024

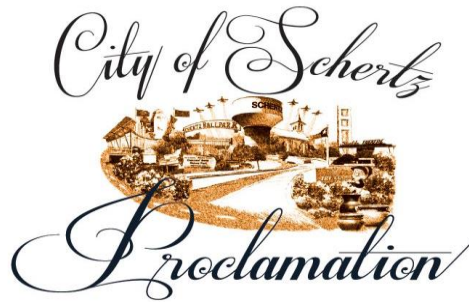
Department: City Secretary

Subject: Proclamations:

- January 2024-School Board Recognition Month

Attachments

Proclamation-2024 School Board Recognition



“School Board Recognition Month 2024”

WHEREAS, in the month of January 2024; Comal Independent, East Central Independent, Judson Independent, Marion Independent, Randolph Field Independent Schertz-Cibolo-Universal City Independent and Randolph Field Independent School Districts in the City of Schertz, will celebrate **School Board Recognition Month**, to recognize the dedication and hard work of school board trustee members; and

WHEREAS, school board members are strong advocates for public education and are responsible for communicating the needs of the schools to the public and the public’s expectations to the district; and

WHEREAS, to create the educational vision for the students, school board members work closely with parents, educational professionals and other community leaders; and

WHEREAS, school board members are committed to the mission of public schools in meeting the diverse educational needs of all children and empowering them to become competent and productive contributors to society; and

NOW, THEREFORE, I, Ralph Gutierrez, Mayor of the City of Schertz, in recognition thereof, do hereby proclaim January 2024 to be

‘SCHOOL BOARD RECOGNITION MONTH’

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Schertz to be affixed this 16th day of January 2024.

Ralph Gutierrez, Mayor

CITY COUNCIL MEMORANDUM

City Council Meeting: January 16, 2024
Department: Police Department
Subject: Resolution 24-R-04 - Approving the appointment of Police Reserve Officer Ryan McCosh to the Schertz Police Reserve Force.
(S.Williams/J.Lowery)

BACKGROUND

An ordinance was approved on 9 January 2024 creating a City of Schertz Police Reserve Force. Resolution 24-R-04 will appoint Texas Peace Officer Ryan McCosh to the Schertz Police Reserve Force. Staff Recommends Council Approval Resolution.

Attachments

Resolution 24 R 04 No Attachment

RESOLUTION 24-R-04

A RESOLUTION OF THE CITY OF SCHERTZ, TEXAS, APPROVING THE APPOINTMENT OF A RESERVE PEACE OFFICER PURSUANT TO SECTION 66-4 OF THE CODE OF ORDINANCES OF THE CITY OF SCHERTZ, AND IN ACCORDANCE WITH TEXAS GOVERNMENT CODE SECTION 341.012; 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 Section 66-4 of the Code of Ordinances, providing for the establishment of a reserve police force as authorized by Texas Government Code Section 341.012; and

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

NOW, THEREFORE, BE IT RESOLVED 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. That Texas Peace Officer **Ryan McCosh** is hereby appointed and officially designated as a member of the Schertz Police Department’s Police Reserve Unit for the City of Schertz, with all powers and duties provided for by law, for a term immediately upon Council approval and ending upon resignation or proper termination.

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 Resolution for all purposes and are adopted as a part of the judgment and findings of the Council.

Section 4. 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 5. This Resolution 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 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 hereby declares that this Resolution would have been enacted without such invalid provision.

Section 7. 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, as amended, Texas Government Code.

Section 8. This Resolution shall be effective upon the date of final adoption hereof.

PASSED, APPROVED and ADOPTED, the _____ day of January 2024.

CITY OF SCHERTZ

Ralph Gutierrez, Mayor

ATTEST:

Sheila Edmondson, City Secretary

CITY COUNCIL MEMORANDUM

City Council Meeting: January 16, 2024
Department: Human Resources
Subject: Resolution 23-R-137 - Authorizing a lease program agreement with Kinloch Equipment & Supply and expenditures with Doggett Freightliner of South Texas for replacement of the sewer vactor truck. (B.James/L.Busch/J.Moheit)

BACKGROUND

Replacement of the City's current sewer vactor truck was approved in FY 23/24 budget. After research and due diligence, City staff has identified the Vactor 2100i combination sewer cleaner as the preferred replacement model. Additionally, staff believes that the best course of action is to lease the vehicle (with an option to buy). Kinloch Equipment & Supply offers a lease program called Mile After Mile, an option which provides several advantages to the City, including:

- Equipment built to the specifications and requirements as outlined in the accompanying proposal.
- A five (5) year bumper-to-bumper warranty for both the truck chassis and sewer cleaner
- All repairs & maintenance included (except rodder hose)
- Guaranteed minimum 95% equipment availability supported by free of charge loaner equipment in the event of protracted downtime.

This program is designed to offer a low, fixed cost of operation and a correspondingly high level of equipment availability. The program is offered as a five (5) year lease with the choice of monthly or annual payments. Upon the conclusion of the five (5) year lease term, the City of Schertz has first option to purchase this equipment for \$269,952. However, the City is under no obligation to exercise this option and can opt to return the equipment to Kinloch Equipment & Supply, Inc. with no further financial obligation. Lease financing will be through Elite Finance Group.

Though this program is offered by Kinloch Equipment & Supply, and a separate program agreement will be executed with Kinloch, the actual vehicle award will be made to Doggett Freightliner of South Texas, LLC, as only a franchise motor vehicle dealer may title, register, and plate new motor vehicles within the State of Texas. Doggett Freightliner of South Texas, LLC is the exclusive BuyBoard contract holder for the Freightliner 114SD chassis as offered through this program (BuyBoard Contact # 601-19).

GOAL

Approval of Resolution 23-R-137 to replace the City's sewer vac truck by entering into a program agreement with Kinloch Equipment & Supply for the Mile After Mile Lease program and Doggett Freighliner of South Texas for the build and titling of the truck.

COMMUNITY BENEFIT

This truck is used for removal of sewer backup and other debris that gets caught up in our manholes and lift stations that are the main causes of most spills. In order to avoid spills and keep our pump stations running smoothly, this lease and maintenance agreement for a new Sewer Vactor Truck will allow for more efficient sewer maintenance of our facilities and decrease the down time we have experienced with our current aged equipment. This vehicle is vital to our wastewater operations at the City and entering into this 5-yr lease term will provide for the current need of the City as well as the flexibility to

update in a more appropriate time to avoid the current impacts we have had to our operations with the old Vactor Truck.

SUMMARY OF RECOMMENDED ACTION

Approval of Resolution 23-R-137 to replace the City's sewer vac truck by entering into a program agreement with Kinloch Equipment & Supply for the Mile After Mile Lease program and Doggett Freighliner of South Texas for the build and titling of the truck.

FISCAL IMPACT

The total cost for the chassis and Vactor 2100i is \$543,203. Depending on the financing option, it would be five (5) annual payments of \$99,792 or sixty (60) monthly payments of \$8,561. \$675,000 was approved in the FY 23/24 budget for this replacement, but staff was able to identify a much more cost-effective solution in the proposed program.

RECOMMENDATION

Approval of Resolution 23-R-137.

Attachments

Resolution 23-R-137 with attachements

RESOLUTION NO. 23-R-137

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AUTHORIZING THE CITY MANAGER TO ENTER INTO A LEASE PROGRAM AGREEMENT WITH KINLOCH EQUIPMENT & SUPPLY AND EXPENDITURES WITH DOGGETT FREIGHTLINER OF SOUTH TEXAS FOR REPLACEMENT OF THE SEWER VACTOR TRUCK AND OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, The City of Schertz (the “City”) approved the replacement of the sewer vactor truck in FY 23/24 budget; and

WHEREAS, City Staff has identified the Vactor 2100i combination sewer cleaner as the preferred replacement model; and

WHEREAS, City Staff has determined that a lease option provides the best value to the City as it includes provisions for bumper to bumper warranties, free repair and maintenance and free loaner equipment; and

WHEREAS, City staff hereby recommends that the City Council authorize the lease program agreement with Kinloch Equipment & Supply (Exhibit A) and expenditures with Doggett Freightliner of South Texas (Exhibit B) for the replacement of the sewer vactor truck; and

NOW THEREFORE, 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 a lease program agreement with Kinloch Equipment & Supply and expenditures with Doggett Freightliner of South Texas in an amount not-to-exceed \$550,000 for the replacement of the sewer vactor truck.

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

Mayor, Ralph Gutierrez

ATTEST:

City Secretary, Sheila Edmondson

(CITY SEAL)

EXHIBIT A

Mile After Mile Lease Program Agreement



Kinloch
Equipment & Supply, Inc.

P.O. Box 4919
Pasadena, TX 77502
Tel: 713.473.6213 Fax: 713.473.7858
Toll Free: 800.231.6929



Mile After Mile™ Proposal

For The City of Schertz



As an alternative to the traditional equipment acquisition model, we offer a turnkey “cradle to grave” equipment acquisition and operation solution that achieves the best of both worlds.....high productivity and low cost of ownership and operation. We call this program **Mile After Mile™**.

We are pleased to offer our proposal based on the Vactor 2100i combination sewer cleaner. Vactor is the North American market leader, enjoying just over 54% market share.

Essentially, this is what this program offers:

- Equipment built to the specifications and requirements as outlined in the accompanying proposal.
- A five (5) year bumper-to-bumper warranty for both the truck chassis and sewer cleaner
- All repairs & maintenance included (except rodder hose)
- Guaranteed minimum 95% equipment availability supported by free of charge loaner equipment in the event of protracted downtime

This again is designed to offer a low, fixed cost of operation and a correspondingly high level of equipment availability. This yields a lower cost of ownership per productive hour which I’ll explain later in this proposal.

This program is offered as a five (5) year lease with your choice of monthly or annual payments, a balloon payment at the end of the term with a guaranteed repurchase amount from Kinloch Equipment & Supply equivalent to the amount of the balloon payment resulting in net zero out of pocket to the City of Schertz.

AQUISTION OPTIONS

Model	Vactor 2100i
Debris Body Capacity	12 Cubic Yards
Water Tank Capacity	1,300 Gallons
Vacuum System	Roots 824 18” Positive Displacement Blower
Boom	RDB 1015 (10’ Telescopic & 15’ Extendable)
Capital Cost	\$543,203.
Mile After Mile™ Program	
Five (5) Year Bumper to Bumper Warranty	Included in Payment
Five (5) Year Repair & Maintenance Agreement	Included in Payment
Free Loaner Equipment	Included in Payment
Payment Schedule	
Five (5) Annual Payments of	\$99,792.
OR	
Sixty (60) Monthly Payments of	\$8,561.
Purchase Option	
Upon the conclusion of the five (5) year lease term, the City of Schertz has first option to purchase this equipment for \$269,952. You are under no obligation to exercise this option and can opt to return the equipment to Kinloch Equipment & Supply, Inc. with no further financial obligation.	

COST PER PRODUCTIVE HOUR

Assumptions:

- 8 hours in a normal single shift workday.
- 52 weeks in a year equals 2,080 normal work hours.
- ~10 days per year (80 hours) of Federal holidays.
- Net 2,000 normal work hours per year
- Minimum of 95% guaranteed equipment availability

Payment Frequency	Cost Per Productive Hour
Annual	\$52.52
Monthly	\$54.07

Prices quoted herein are in accordance with BuyBoard Contract # 601-19.

This proposal is made as a matter of convenience. Any order desired to be placed in conjunction with this proposal must be made in favor of Doggett Freightliner of South Texas, LLC as only a franchise motor vehicle dealer may title, register, and plate new motor vehicles within the State of Texas. Doggett Freightliner of South Texas, LLC is the exclusive BuyBoard contract holder for the Freightliner 114SD chassis as offered in this proposal.

Prices quoted herein are firm until 11/30/23.

Sincerely,



Daniel J. Federico
Sales Manager



3320 Pasadena Blvd
Pasadena, TX 77503
O: 713-473-6213 Fax: 713-473-7858
Toll Free: 800-231-6929

Mile After Mile™ Program Agreement

The intent of this agreement is to describe special terms and conditions for the City of Schertz to own and operate a Vactor 2100i combination sewer cleaner mounted on an Freightliner M-2 114SD Plus truck chassis with vendor maintenance. The proposal is written to ensure that equipment operated by you will provide the lowest total cost during its useful life. The proposal is supplemental to the Vactor 2100i proposal and accompanying configuration provided. This contractual agreement includes all preventative maintenance and repairs to both the body and chassis with noted exceptions.

DEFINITIONS:

The term "you" shall mean the City of Schertz.

The term "KESI" shall mean Kinloch Equipment & Supply, Inc., the dealer who represents the manufacturer of the equipment being proposed.

The term "Fleet Management" shall mean the City of Schertz Fleet Manager or his/her designated representative, wherein the equipment will be operated and maintained.

The term "KESI Principal" shall mean the principal person or his/her designated representative of KESI, whom this contract shall apply.

The term "normal workday" shall mean a day which falls on or between Monday and Friday of the calendar week, 52 weeks a year, excluding the City of Schertz holidays. A list of all the City of Schertz holidays shall be supplied to KESI from you upon award of this contract.

The term "normal working hours" shall mean the time period of a normal workday when the City of Schertz's main equipment shop and/or maintenance facility is normally open for operation. You shall supply KESI with this information upon awarding this contract.

The term "in-service date" shall mean the date the City of Schertz places the unit in operation. The City of Schertz will notify the KESI Principal of the in-service date.

The term "downtime" shall mean the period of time measured in normal workdays that the unit is unable or unsafe to perform those operations for which the unit was designed.

1. The maintenance contract period shall be a five (5) year term.



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2. The training will require a minimum of one (1) day for operating and one (1) day for daily maintenance.
 3. The City of Schertz is responsible for providing fuel, insurance, and operator for the mainline sewer inspection system. Original equipment items listed in this paragraph to be utilized and will be supplied at fleet pricing.
 4. The City of Schertz is responsible for the daily maintenance of the sewer cleaner in accordance with instructions from KESI and/or the manufacturer.
 5. KESI is responsible for the cost of parts and labor of the following:
 - a) All preventative maintenance requirements for the chassis and body with the exception of daily maintenance.
 - b) Vactor sewer cleaner components with the exception of jet rodder hose which is the City's responsibility.
 - c) All repairs to chassis and related components. Operator damage is not included.
 - d) Repair of damage caused by the City of Schertz personnel is not covered by this agreement and must be repaired to the manufacturer's original specifications within a reasonable time frame upon notification of damage.
 6. KESI shall be fully responsible for transporting to and from your facility, at no cost to you for any repairs or maintenance required, if said repairs or maintenance cannot be completed at the City of Schertz's site.
 7. This proposal is based on total aggregate usage over a five (5) year term of not more than 10,000 engine hours. If 10,000 engine hours are reached prior to the five (5) year anniversary of the in-service date, the City of Schertz has the exclusive option to either:
 - Pay an hourly charge of \$90 per hour for each hour in excess of 10,000 hours until the end of the five (5) year agreement to allow for the continuation of the terms and conditions set forth in this agreement.
- OR
- Allow this agreement to lapse and immediately absolve both the City of Schertz and KESI of any further obligations as set forth in this agreement.
8. KESI shall guarantee that the equipment purchased under this contract will be available for operation at least 95% of normal workdays. KESI shall guarantee that the equipment purchased under this



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contract will not be out of service for more than five (5) consecutive normal workdays, nor more than five (5) normal workdays, in any 100 consecutive, normal workday period.

9. Equipment availability shall apply to equipment put out of service for any reason other than i.e., operator damage, theft, vandalism, accident, Acts of God, or incidents out of control of KESI which render the unit unable or unsafe to perform those operations for which the unit is designed. The City of Schertz supervising personnel, after inspection will determine in conjunction with a KESI Principal, if the unit was inoperable or unsafe and the cause of the downtime. Equipment availability shall not apply to equipment during routine maintenance.
10. The unit will be considered out of service starting the first normal workday, following KESI notification by the City of Schertz's that the unit is inoperable or unsafe and requires repair. Therefore, the downtime clock will start at the beginning of the first normal workday, following such notification. The City of Schertz Fleet Manager will notify the KESI Principal during normal working hours of a unit that is out of service and requires repair. The unit will be considered in service (operational) starting the first normal workday following the completion of the repair and/or return of the repaired unit. Therefore, the downtime clock will stop at the beginning of the first normal day following the repair completion or return of the repaired unit.
11. Equipment availability or in-service percentage (uptime) will be computed by the City of Schertz at the end of each 100 consecutive, normal workday period, beginning from the in-service date, using downtime increments of normal workdays. The City of Schertz will use the following formula to compute equipment availability at the end of each 100 consecutive, normal workday period:
Equipment Availability = [(100 Days - Downtime)/100 Days] x 100%

NOTE: The term "Days" refers to normal workdays. The term "Downtime" refers to the total downtime accumulated during the 100 consecutive, normal workday period.
12. KESI will credit the City of Schertz a daily amount of \$125.00 for each normal workday required to provide 95% availability in the event a functionally equivalent replacement unit is not available.
13. KESI will provide a relief unit should repair downtime be more than five (5) consecutive normal workdays. All costs associated with securing and delivering the relief unit shall be at KESI's expense, with no cost to the City of Schertz. The relief unit must be functionally equivalent to its replacement.
14. This guarantee shall be in effect for a period of five (5) years. Time will be measured in calendar years from the in-service date and engine hours will be recorded on the electric, solid state hour meter provided with the unit.



3320 Pasadena Blvd
Pasadena, TX 77503
O: 713-473-6213 Fax: 713-473-7858
Toll Free: 800-231-6929

The City of Schertz

Name: _____

Title: _____

Date: _____

Signature: _____

Kinloch Equipment & Supply, Inc.

Name: Todd B. Kinloch

Title: President

Date: _____

Signature: _____

EXHIBIT B

Truck Expenditures



DOGGETT FREIGHTLINER OF SOUTH TEXAS LLC - AUSTIN

1701 Smith Rd.
Austin, Texas 78721

Bus: 512-389-0000
Fax: 512-389-2663

INV #:
DATE: 10/24/2023
INVOICE / BUYER'S ORDER

BUYER'S NAME CITY OF SCHERTZ TELEPHONE

ADDRESS 1400 SCHERTZ PARKWAY CITY SCHERTZ STATE TX ZIP CODE 78154

YEAR 2025 MAKE FREIGHTLINER MODEL/BODY 114SD PLUS VIN TBD LICENSE PLATE

A DOCUMENTARY FEE IS NOT AN OFFICIAL FEE. A DOCUMENTARY FEE IS NOT REQUIRED BY LAW, BUT MAY CHARGED TO BUYER FOR HANDLING DOCUMENTS RELATING TO THE SALE.

MILEAGE:

BUY BOARD CONTRACT #601-19

CHASSIS SELLING PRICE \$136,358.00

VACTOR 2100i \$406,445.00

UN PAGO DOCUMENTAL NO ES UN CARGO OFICIAL. LA LEYNO EXIGUE SE IMPONGA UN CARGO DOCUMENTAL. PERO ESTE PODRIA COBRARSE A LOS COMPRADORES POR EL MANEJO DE LA DOCUMENTACION EN RELACION CON LE VENTA.

BUY BOARD FEE \$400.00

QUOTE # CPQ # 2023-69914

QUOTE EXPIRES 11/24/2023

Disclaimer of Warranties

The above described vehicle sold by Freightliner of Ausitn is sold as is, without either express or implied warranties of any kind by Freightliner of Austin, including warranties of merchantability or fitness, and Buyer will bear the entire expense of repairing or correcting any defects that presently exist or that may occur in the vehicle, unless a writte warranty by, or service contract with Freightliner of Austin covering the describe vehicle is delivered to Buyer in conjunction with or within 90 days following the time of sale, but such vehicle or any of its component parts may be subject to warranty by the manufacuter thereof.

CUSTOMER COPY

Table with columns for MILEAGE, YEAR, MAKE, MODEL/BODY, VIN, TRADE-IN

Table with columns for PAYOFF TO, ADDRESS, TELEPHONE, GOOD UNTIL, QUOTED BY, SHOW LIEN TO, DATED, DRAFT FOR \$, DRAFT THRU, ADDRESS, TOTAL, (Trade Allowance), TRADING DIFFERENCE, SALES TAX, DEALER'S INVENTORY TAX, LICENSE FEE, DOCUMENTARY FEE, FEDERAL EXCISE TAX, TOTAL SALE PRICE, PAYOFF ON TRADE, EXT. WARRANTY, LESS DEPOSIT, Total Balance Due

**The Dealer's Inventory Tax charge is intended to reimburse the dealer for ad valorem taxes on its motor vehicle inventory. The charge, which is paid by the Dealer to the county tax assessor-collector, is not a tax imposed on a consumer by the government, and is not required to be charged by the dealer to the consumer.

The information you see on the window form for this vehicle is part of this contract. Information on the window form overrides any contrary provisions on the contract of sale. La informacion que aparece en la ventanilla de este vehiculo forma parte de este contrato. La informacion contenida en el formulario de la ventanilla anula cualquier prevision que establezca lo contrario y que aparezca en el contrato de venta. If a credit purchase, this is an offer to purchase only. Buyer offers to purchase vehicle on credit terms described herein and no contractual relationship is created. This order does not constitute an agreement for the extension of credit. Manufacturer/Distributor reserves the right to change the price of new vehicles to Seller without notice. In the event that the price to Seller of the new vehicle ordered hereunder is changed prior to delivery to Buyer, Buyer agrees and accepts that the cash delivered price will be changed accordingly. If the Buyer's used vehicle trade-in is not delivered to the Seller until delivery of the new vehicle, the trade-in will be reappraised at that time and Buyer agrees that such reappraised value shall determine the allowance, if any, made for the trade-in. Buyer agrees to deliver the original bill of sale and the title to an trade-in along with the delivery of the trade-in and further agrees to execute and all documents necessary or required to transfer legal title and ownership to Seller or its assigns. Buyer warrants the trade-in to be his property and free and clear of all liens and encumbrances except as otherwise noted herein. Buyer further warrants that the trade-in has not been declared rebuilt salvage, reconditioned, nonrepairable, or flood damaged and that the emission systems have not been tampered with and are in the condition as originally manufactured, except for ordinary wear, unless so disclosed. Seller makes no representations, concerning fuel economy of the sale unit and any information posted on the sale unit or contained in literature relating to the same reflect the results of tests performed, required or prescribed by government agency, upon which Seller has relied. It is expressly agreed to and understood by Buyer and Seller that is the event of a non-credit transaction, Seller retains a security interest in the purchased vehicle until such time as Buyer has paid the Seller for the vehicle. Buyer agrees to all the above listed charges.

BUYER'S SIGNATURE: _____ SELLER'S SIGNATURE: _____ DATE _____

CITY COUNCIL MEMORANDUM

City Council Meeting: January 16, 2024

Department: Fire Department

Subject: Resolution 24-R-05 - Consideration and/or action by the City Council of the City of Schertz, Texas, approving a resolution authorizing the City Manager to submit a Hazard Mitigation Grant Program application, and accept grants funds if awarded, from the awarding agency for replacement of the generator supplying secondary power to our Public Safety Answering Point (PSAP) (Dispatch), Police Department, Emergency Medical Services, and the Fire Department. (S.Williams/G.Rodgers)

BACKGROUND

Hazard Mitigation Grant Program (HMGP): 2023 Severe Winter Storm - DR # 4705

Eligible sub-applicants include local governments, state agencies, and private nonprofits if they own or operate a private nonprofit facility as defined in Section 102(11)(B) of the Stafford Act.

Priorities and Considerations:

- Eligible jurisdictions within the declared counties for the disaster.
- Projects that address the principal hazards associated with the disaster.
- Projects that demonstrate the greatest community benefit including;
- High Benefit-Cost-Analysis (BCA) and verifiable population directly served or benefiting from the proposed projects.
- Projects that clearly link to the sub-applicants hazard mitigation plan.
- Projects that focus on multi-jurisdictional/regional/watershed levels.

Selected projects will receive 75% federal cost share of the total project cost approved by FEMA.

Sub-recipients are responsible for the remaining 25%

GOAL

Replace generator providing secondary power to buildings 6 (Police Department / Dispatch), 7 (EMS), and 8(Fire / Emergency Management).

COMMUNITY BENEFIT

During power outages are this projects provides continuity of operations for all public safety elements of our city. This includes the Public Safety Answering Point (PSAP) or our dispatch center, Emergency Medical Services, Fire Department, and the Office of Emergency Management who provide critical services to our residents and the City of Cibolo having a multi-jurisdictional effect resulting in the continued protection of life and property during power outages in the most efficient way possible.

SUMMARY OF RECOMMENDED ACTION

Consideration and/or action by City Council of the City of Schertz, Texas, approving a resolution authorizing the City Manager to submit a Hazard Mitigation Grant Program application if the ability to decline the award exists from the awarding agency for generator replacement providing secondary power to buildings 6, 7, and 8.

FISCAL IMPACT

The grant provides 75 % Federal Cost Share and requires 25 % Local Cost Share. The anticipated total costs for generator replacement is \$325,000 so the local cost share amount would be approximately \$81,250. If awarded, a budget adjustment will be brought to Council and the funds will be taken from reserves.

RECOMMENDATION

Approved a resolution authorizing this grant application.

Attachments

Resolution 24-R-05 No Attachments

RESOLUTION NO. 24-R-05

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AUTHORIZING A GRANT APPLICATION TO FEMA FOR ASSISTANCE TO HAZARD MITIGATION GRANT PROGRAM TO PURCHASE A GENERATOR.

WHEREAS, the Hazard Mitigation Grant Program allows eligible entities to file grants to fund projects that address hazards, demonstrate the greatest community benefit including high Benefit Cost Analysis (BCA) and verifiable population directly served or benefiting from the proposed projects; and

WHEREAS, the requesting agency will pay a 25% required grant match based on the actual cost of the vehicle received by that agency; and

WHEREAS, the City staff of the City of Schertz (the “City”) has recommended that the City Council authorize the filing of a grant application with FEMA relating to vehicle purchased for Schertz Fire Department; and

WHEREAS, the City Council has determined that it is in the best interest of the City to apply to FEMA for a grant to fund this generator project.

NOW THEREFORE, 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 a grant application with FEMA for the generator described, provided acceptance of the grant and funding of the City’s share of the cost of the equipment shall not require further approval by the City Council.

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 COUNCIL MEMORANDUM

City Council Meeting: January 16, 2024

Department: Planning & Community Development

Subject: Ordinance 23-S-35 - Approving 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. *Final 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.

The Schertz City Council met on January 9, 2024 and approved Ordinance 23-S-35 as presented with a 7-0 vote.

Attachments

Ordinance 23-S-35 w attachments

Aerial Exhibit

Public Hearing Notice Map
Public Hearing Responses
Additional Public Input
City Council Presentation Slides

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

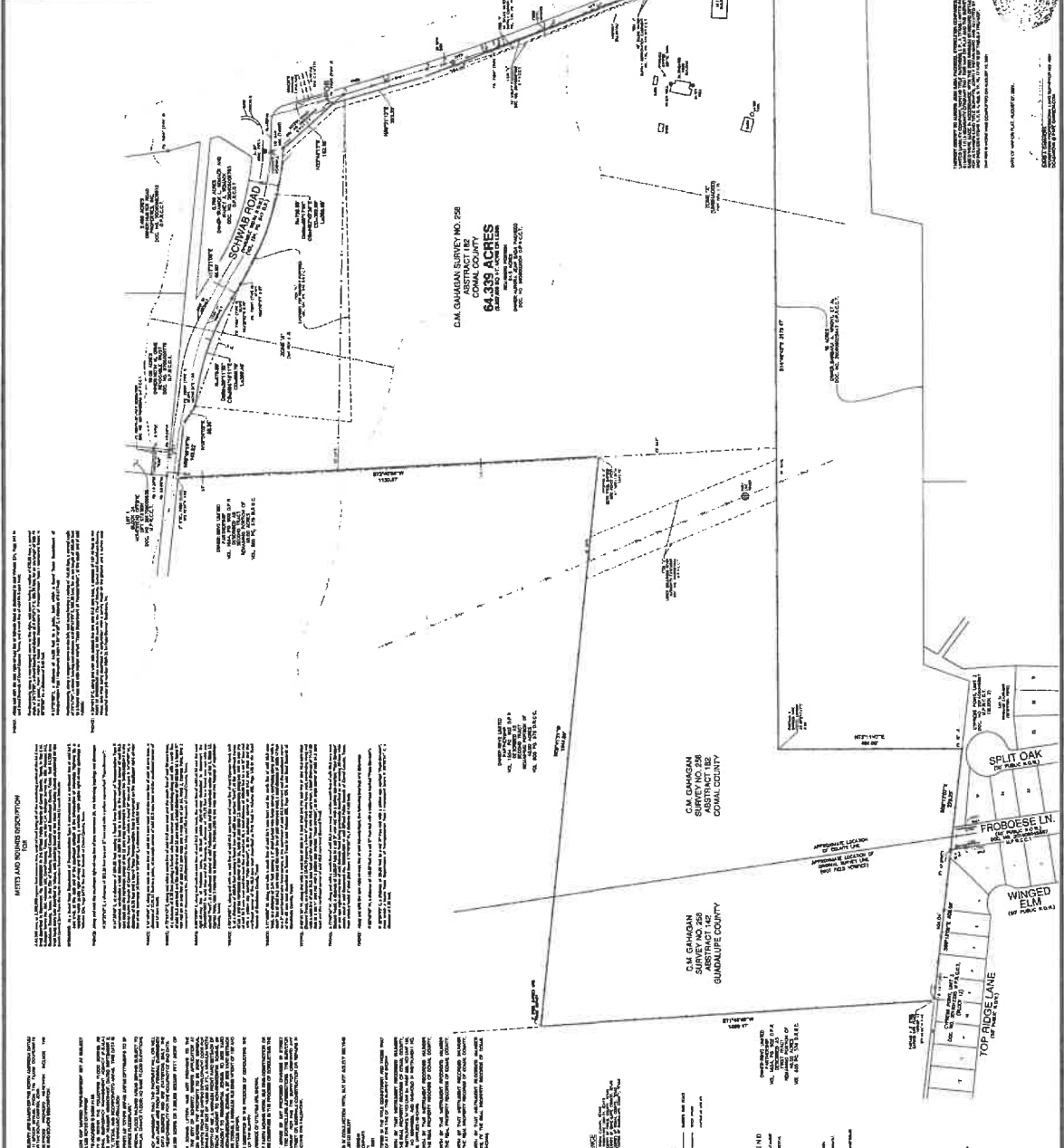
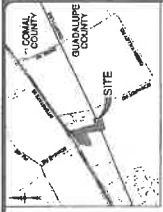
Ralph Gutierrez, Mayor

ATTEST:

Sheila Edmondson, City Secretary

(city seal)

Exhibit A
The Property



NOTES:

1. THIS SURVEY WAS MADE IN ACCORDANCE WITH THE FLORIDA SURVEYING AND MAPPING ACT, CHAPTER 461, F.S.
2. THE BOUNDARIES OF THE LANDS SHOWN ON THIS SURVEY ARE BASED ON THE DATA FURNISHED BY THE CLIENT AND THE FIELD MEASUREMENTS MADE BY THE SURVEYOR.
3. THE SURVEYOR HAS REVIEWED THE RECORDS OF THE PUBLIC RECORDS OFFICE AND HAS FOUND NO RECORDS OF ANY PREVIOUS SURVEYS OF THESE LANDS.
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SYMBOL LEGEND

- 1. BOUNDARY LINE
- 2. EASEMENT
- 3. RIGHT-OF-WAY
- 4. UNDEVELOPED LAND
- 5. DEVELOPED LAND
- 6. WATER
- 7. FENCE
- 8. UTILITY
- 9. ROAD
- 10. OTHER

LINE LEGEND

- 1. 1/4" = 100'
- 2. 1/8" = 100'
- 3. 1/16" = 100'
- 4. 1/32" = 100'
- 5. 1/64" = 100'

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 PDD 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

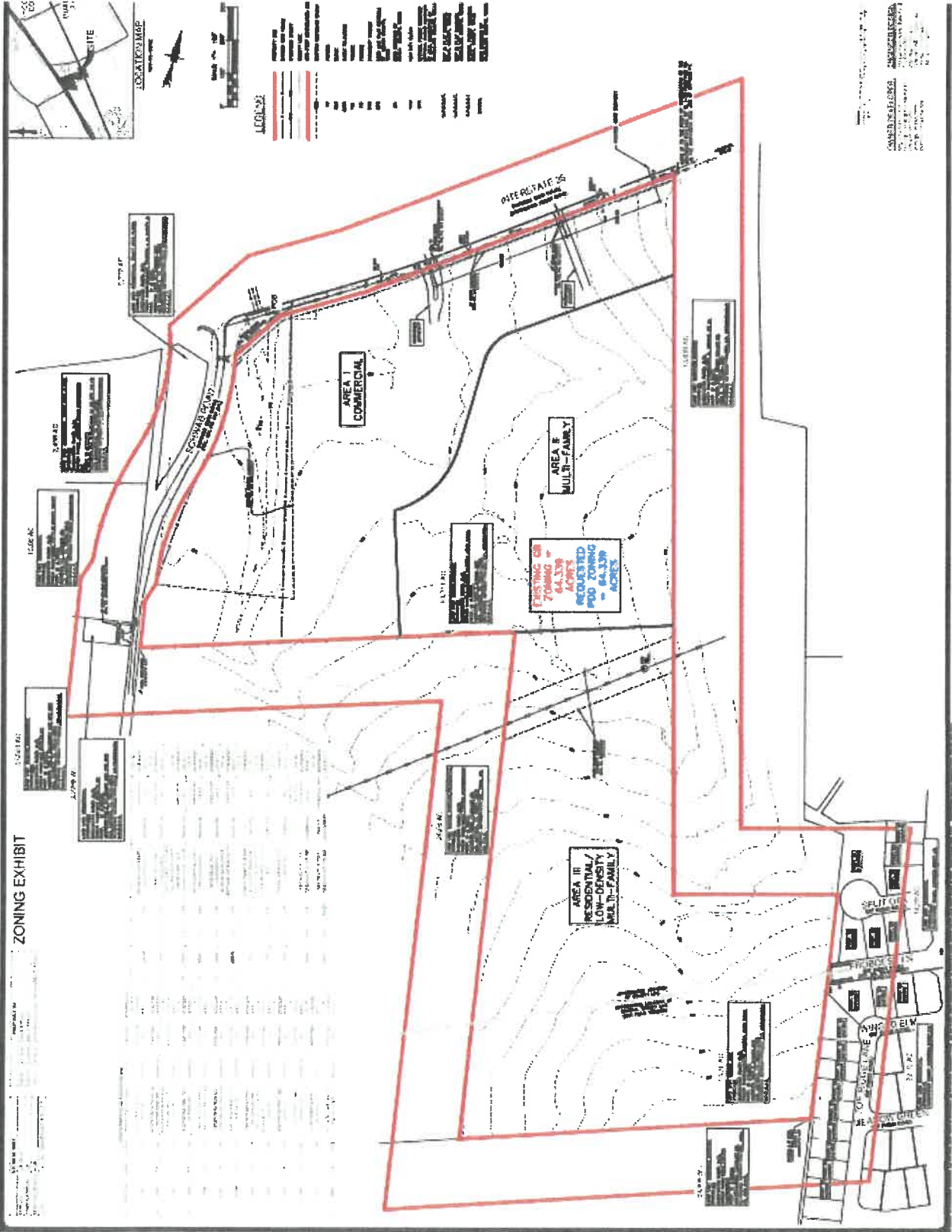
C. *Building Setback Line.* All setbacks shall be in accordance with Table III.A, provided however, a minimum forty-foot (40') building setback shall be provided on the eastern boundary of Area III adjacent to existing and platted single-family residential lots.

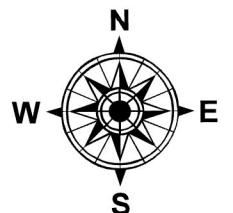
E. *Screening.* No screening walls or solid fencing shall be required adjacent to public right-of-way. A six-foot (6') semi-open, decorative metal or similar material fence may be provided adjacent to public right-of-way.

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.





SCHIEERTZ
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

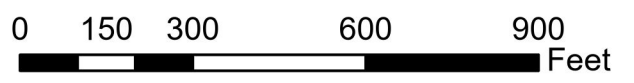
- 1"
- 2"
- 3"
- 4"
- 6"
- 8"
- 10"
- 12"
- 16"
- 18"

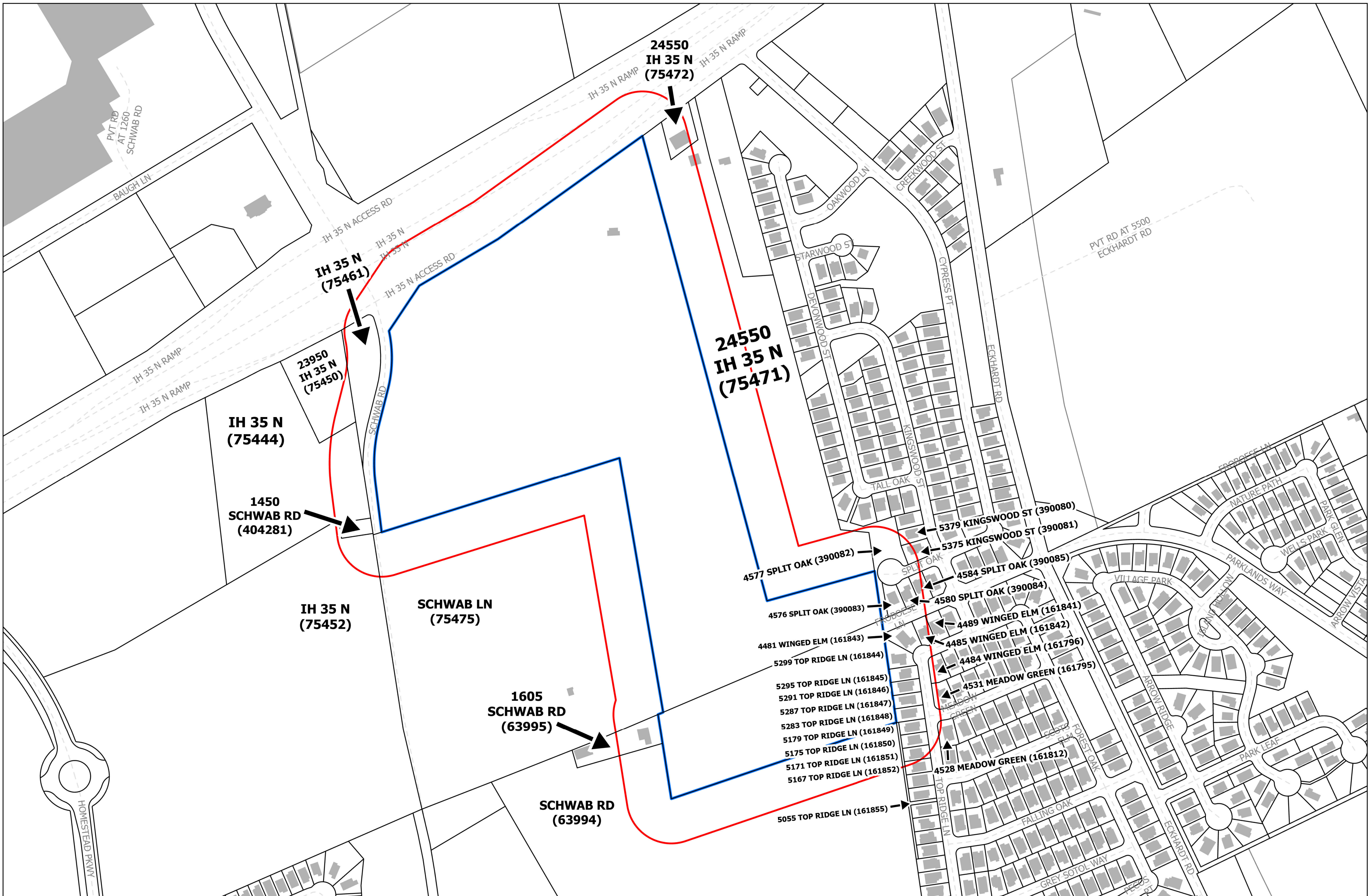
- 20"
- 24"
- 30"
- 36"
- Unknown

- 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



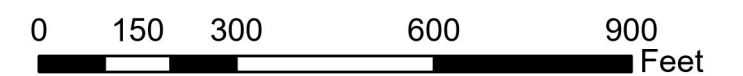
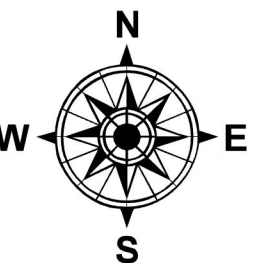


City of Schertz

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.

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.

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*)

NOTICE OF PUBLIC HEARING

November 3, 2023

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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 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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November 3, 2023

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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

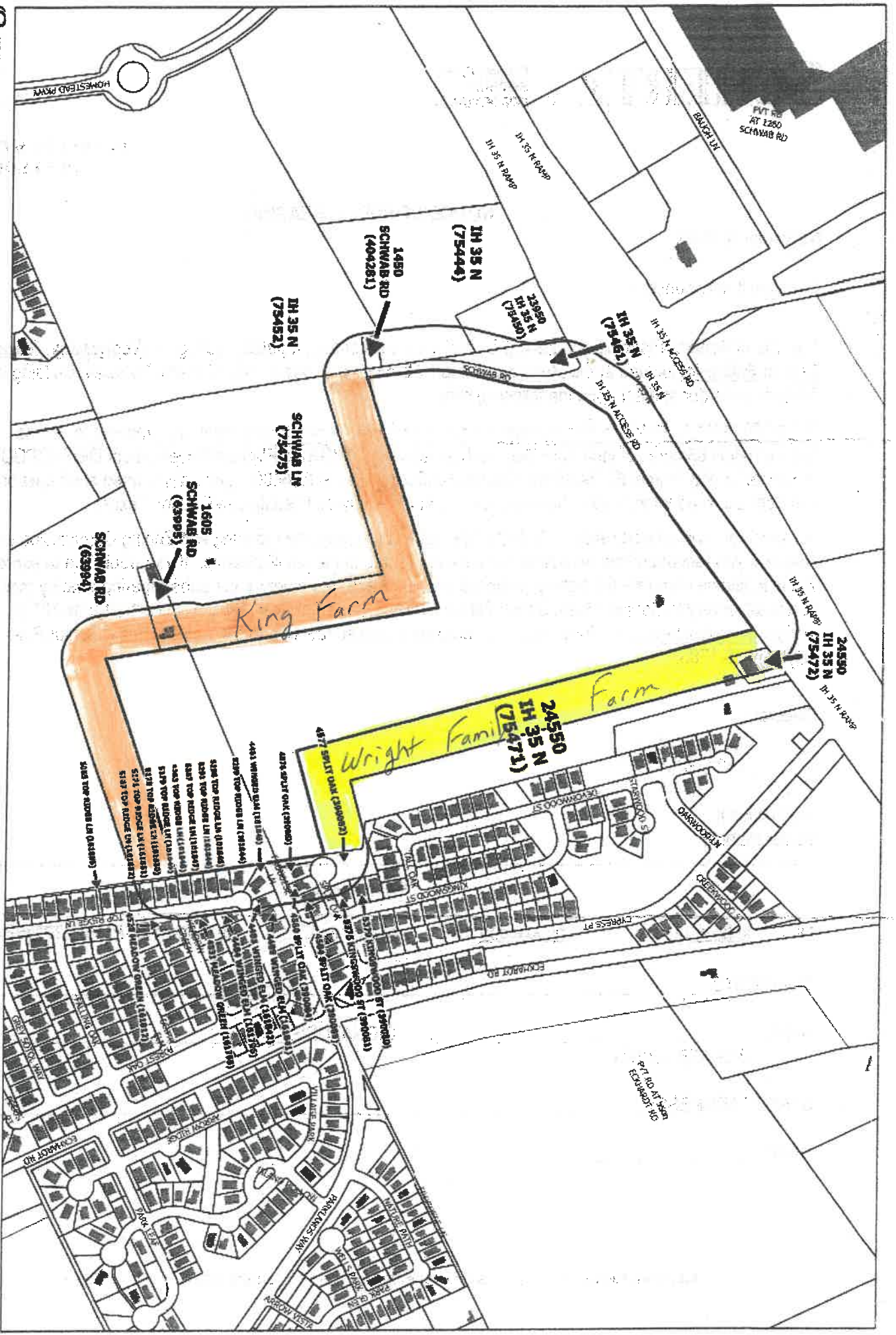
COMMENTS: This area cannot support the development

NAME: Lindy Ann Wright SIGNATURE [Handwritten signature]

STREET ADDRESS: 24550 IH 35 N. New Braunfels 78132 (Schertz City Limits) DATE: 11/9/2023

City of Schertz

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



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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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,

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.

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: 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.

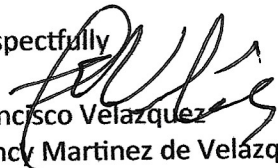
The local neighborhood traffic will disproportionately surge during morning and evening rush hours, causing traffic issues during critical times for the existing multiple existing neighborhoods. The traffic surge during morning rush hours will also negatively impact safety for children, since students 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 and 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

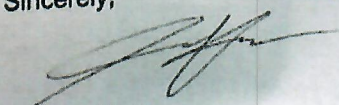
To whom it may concern,

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.

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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:

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

November 3, 2023

NOTICE OF PUBLIC HEARING

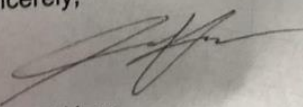
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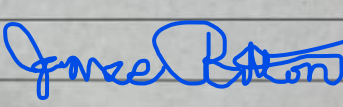


Samuel Haas
Senior Planner

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.

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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: 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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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

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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.

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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,

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.

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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 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.

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 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 MWEAR
(PLEASE PRINT)

SIGNATURE *Mark Mwear*

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.

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 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,

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

To whom it may concern,

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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: Fully Support

NAME: MFP Realty - Harry Penland III SIGNATURE 
(PLEASE PRINT) McLamb's Enterprises

STREET ADDRESS: 155 E. Mulberry Ave Ste 600 SA TX 78212

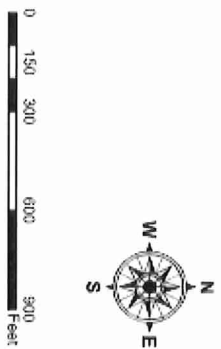
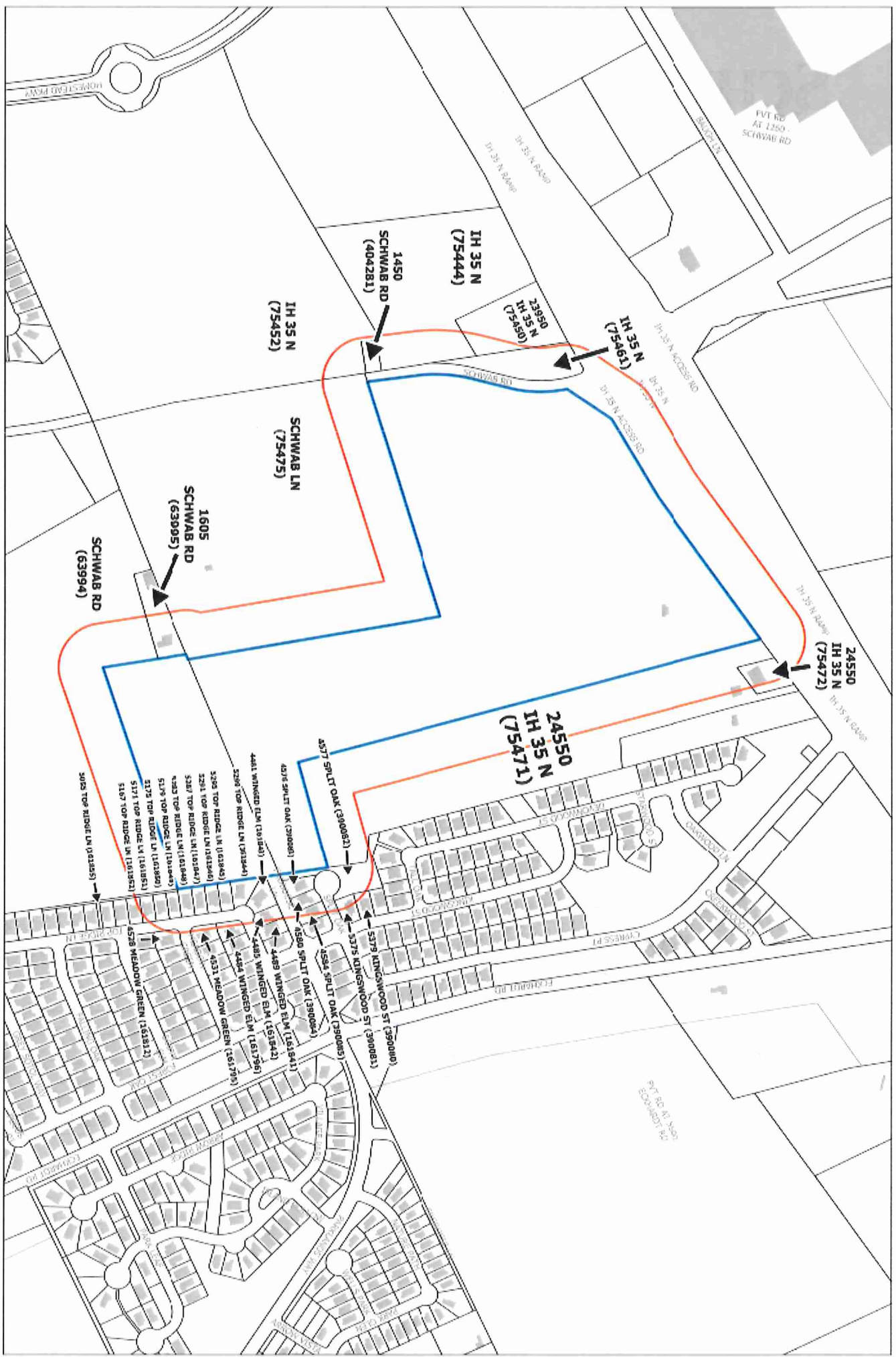
DATE: 11/13/23

City of Schertz, 1200 Westwood Drive, Schertz, Texas 78150
 The City of Schertz provides this map as a public information tool. It is not intended to be used as a legal document. The City of Schertz is not responsible for any errors or omissions. The City of Schertz is not responsible for any damages or liabilities arising from the use of this map. The City of Schertz is not responsible for any damages or liabilities arising from the use of this map. The City of Schertz is not responsible for any damages or liabilities arising from the use of 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.

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,

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.

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 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

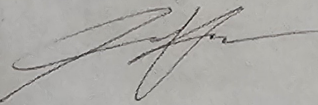
To whom it may concern,

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 Miguel Rivas
(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.

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

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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: 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.

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, 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.

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 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

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: 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.

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: 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.

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,

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.

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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.

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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.

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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,

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.

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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. 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.

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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.

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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. 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.

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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

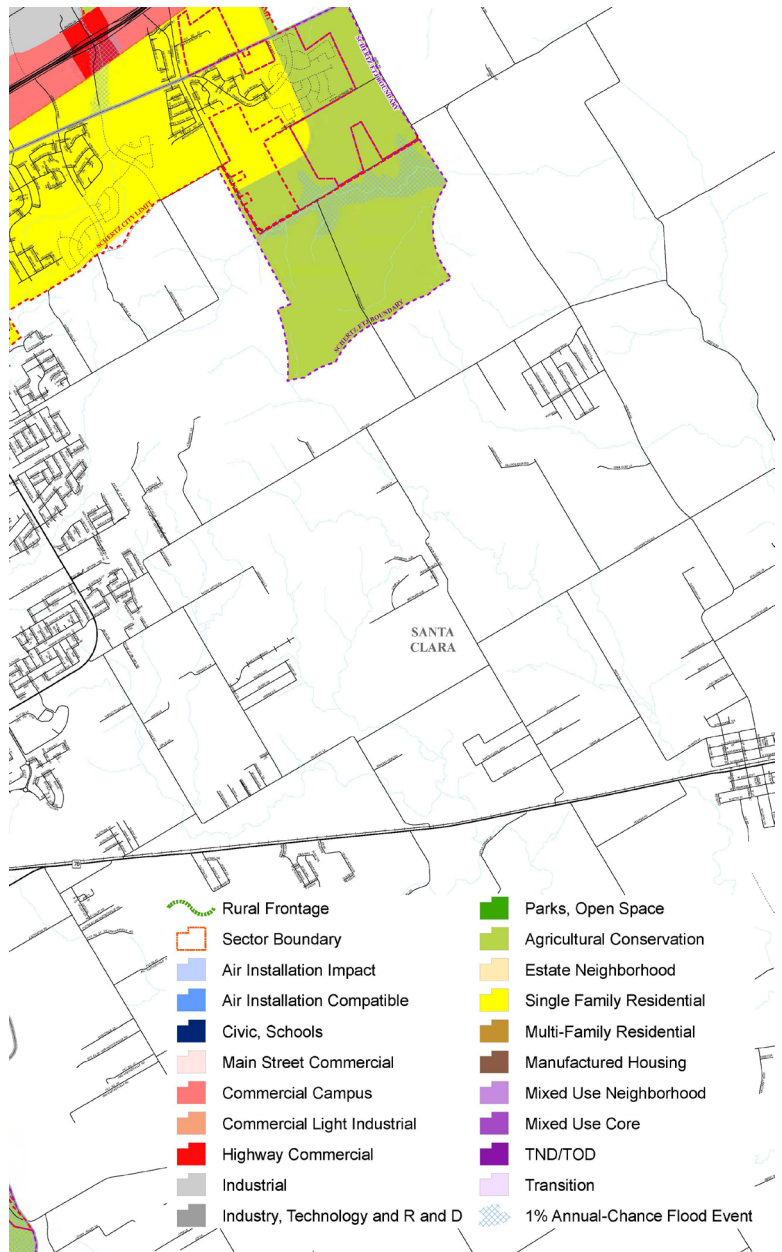
SCHERTZ GATEWAY PROJECT

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.



SCHERTZ
GATEWAY
PROJECT
PDD

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.

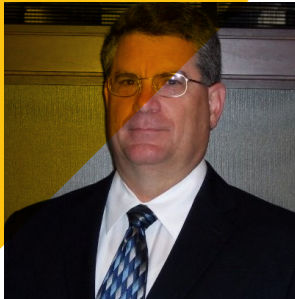
ZONING COMMISSIONERS



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 Froboes 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 misdemenaoir

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.

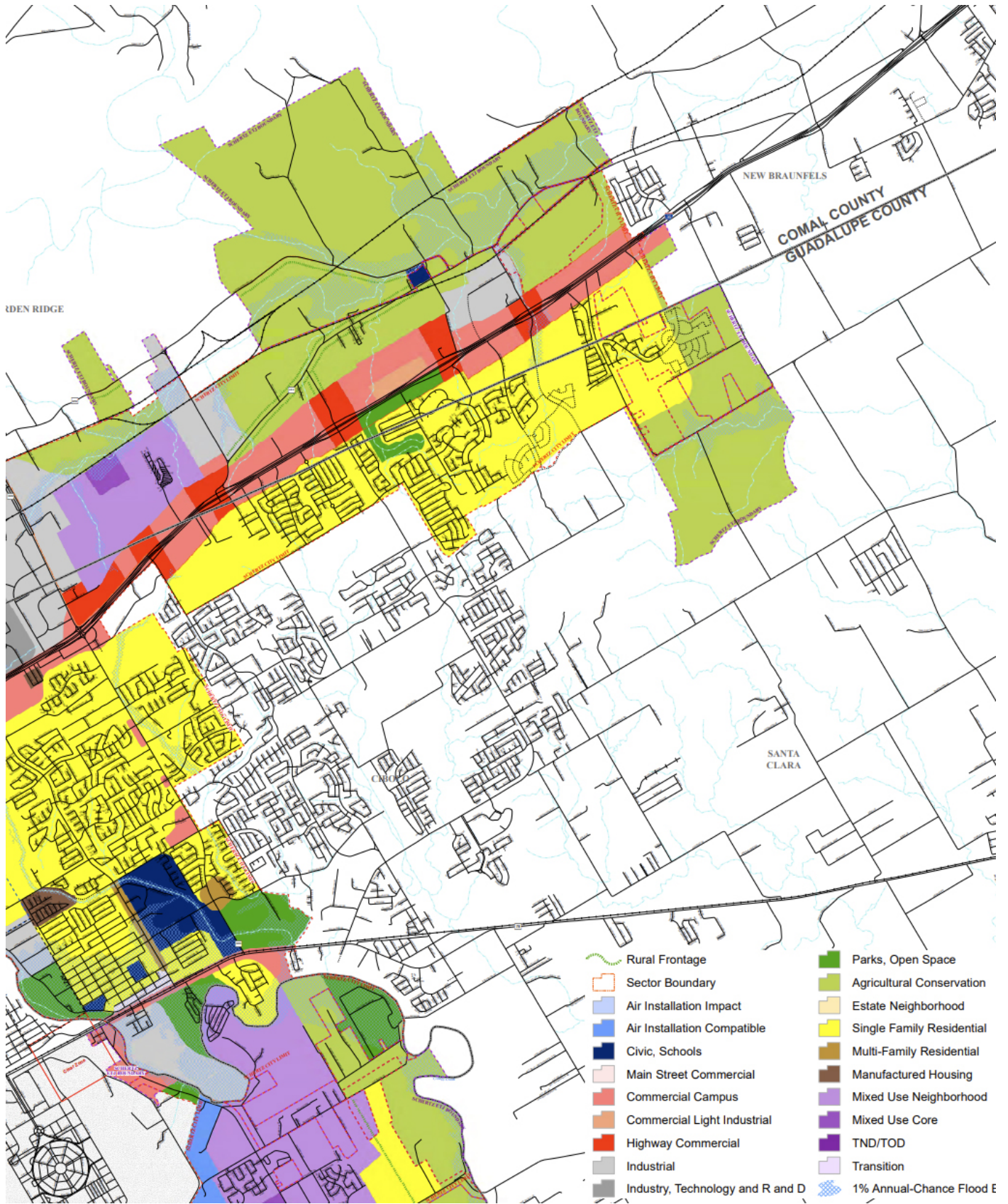
Cities Failure in Apartment Zoning

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)



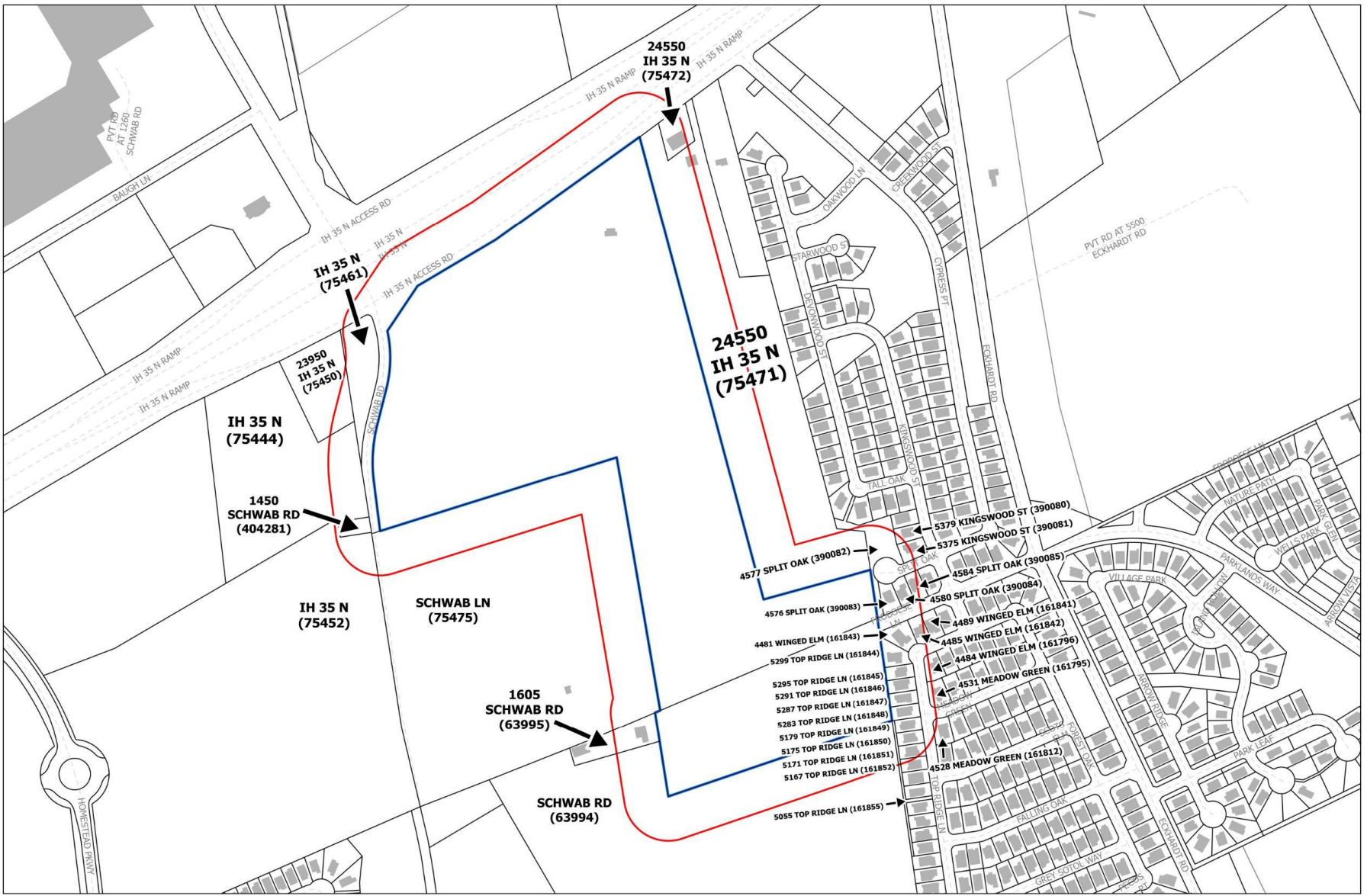
SCHERTZ
COMMUNITY • SERVICE • OPPORTUNITY

24500 IH-35 PDD
(PLPDD20220214)

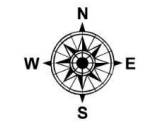
<ul style="list-style-type: none"> Highways Major Roads Minor Roads 	<ul style="list-style-type: none"> Freeway Principal Arterial Planned Principal Arterial Secondary Arterial Planned Secondary Arterial Secondary Rural Arterial 	<ul style="list-style-type: none"> Planned Secondary Rural Arterial Residential 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" 	<ul style="list-style-type: none"> 8" 10" 12" 16" 18" 	<ul style="list-style-type: none"> 20" 24" 30" 36" 18" Unknown 	<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 	<ul style="list-style-type: none"> Schertz Lift Station CCMA Treatment Plant Schertz Treatment Plant ETJ 	<ul style="list-style-type: none"> Project Boundary County Boundaries Schertz Municipal Boundary ETJ
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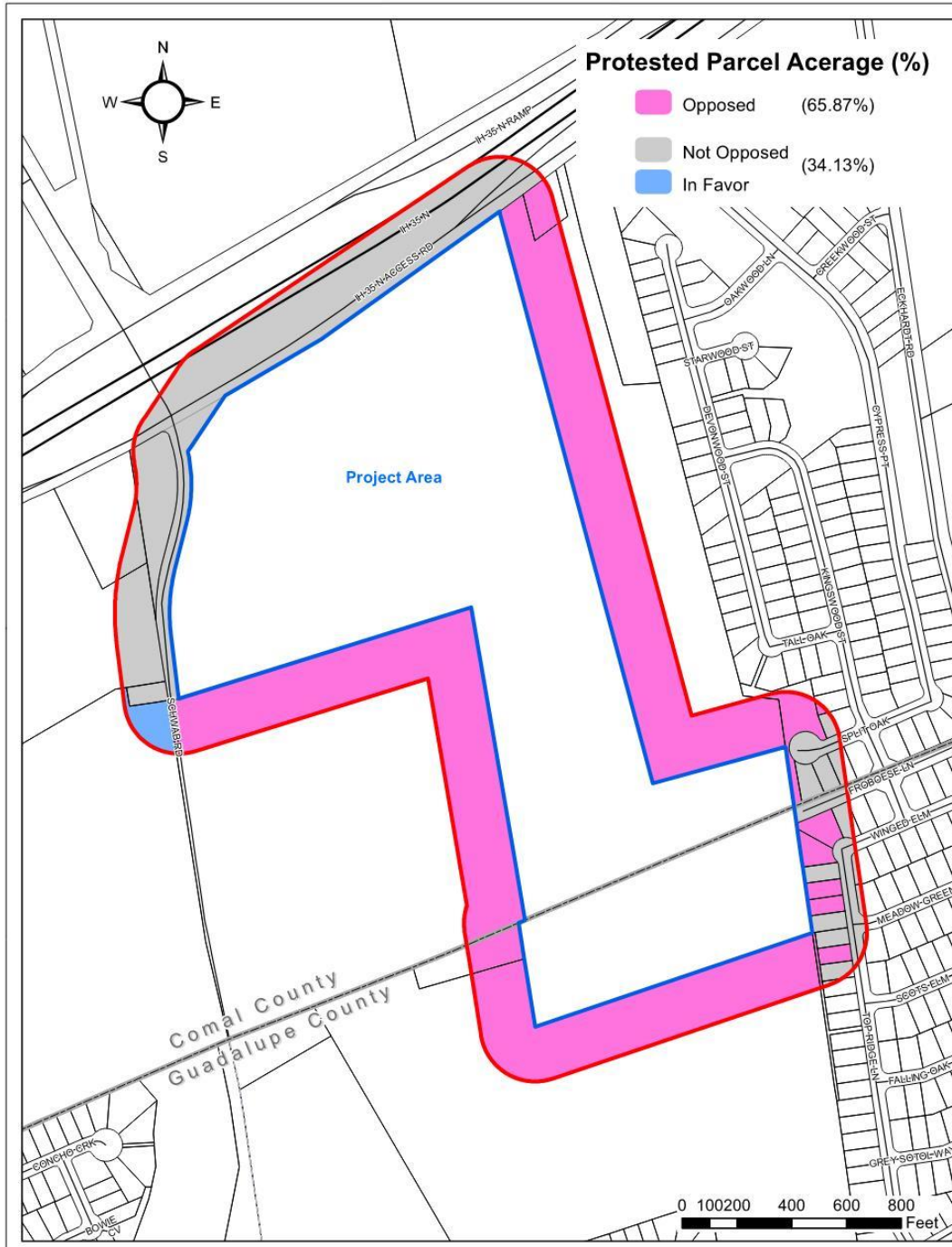


SCHERTZ
COMMUNITY. SERVICE. OPPORTUNITY.



- 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"





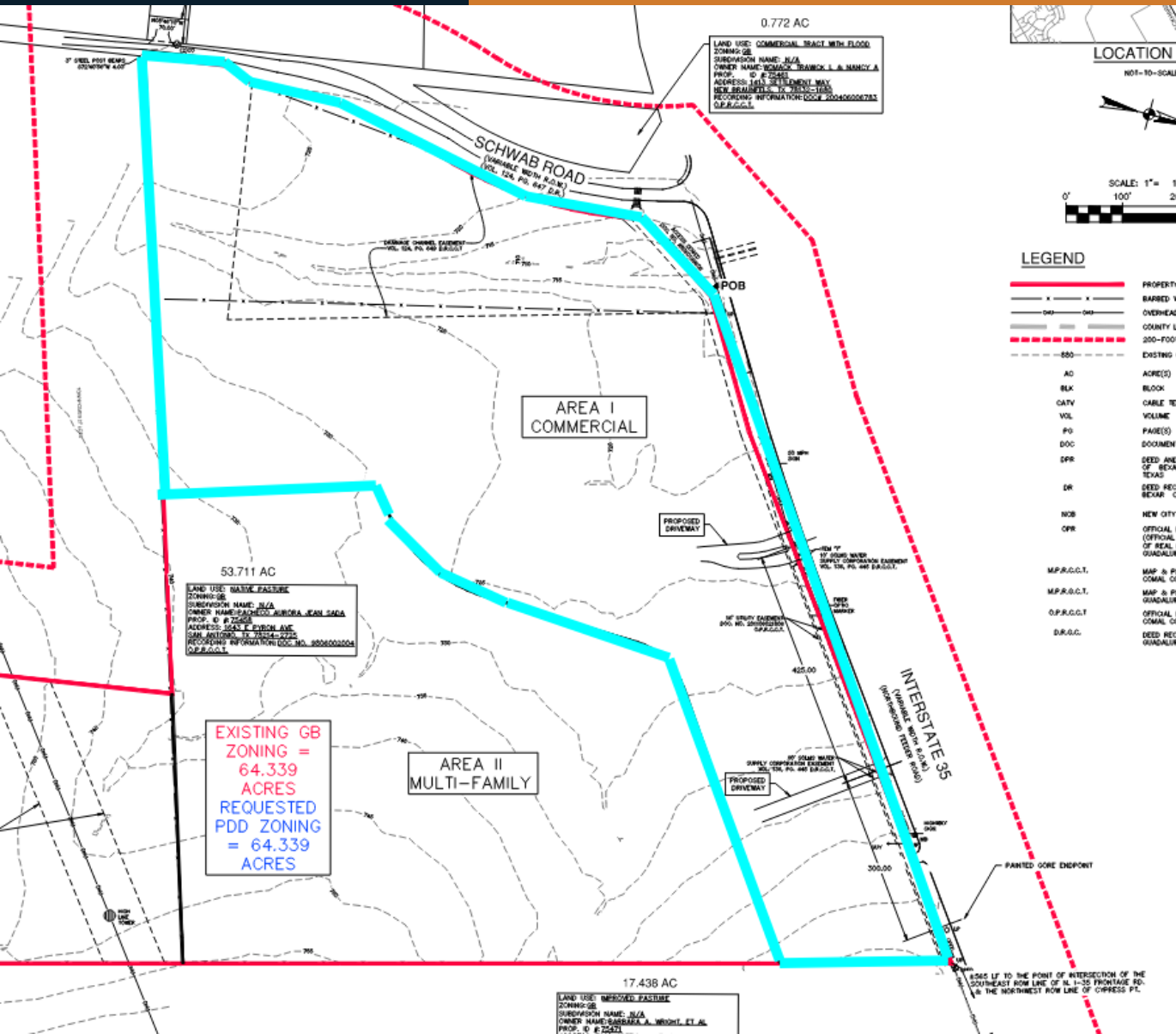
- **Texas LGC 211.006.d**

(d). If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either:

(1) the area of the lots or land covered by the proposed change; or

(2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

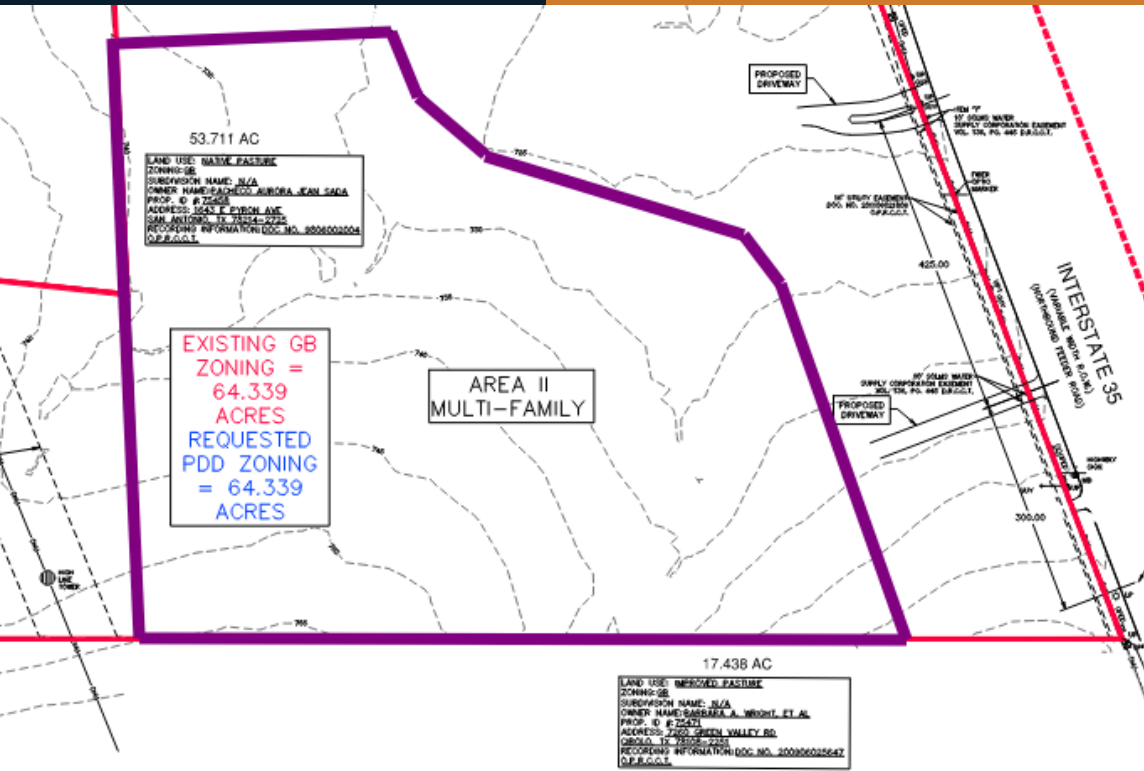
Schertz Gateway PDD



- 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

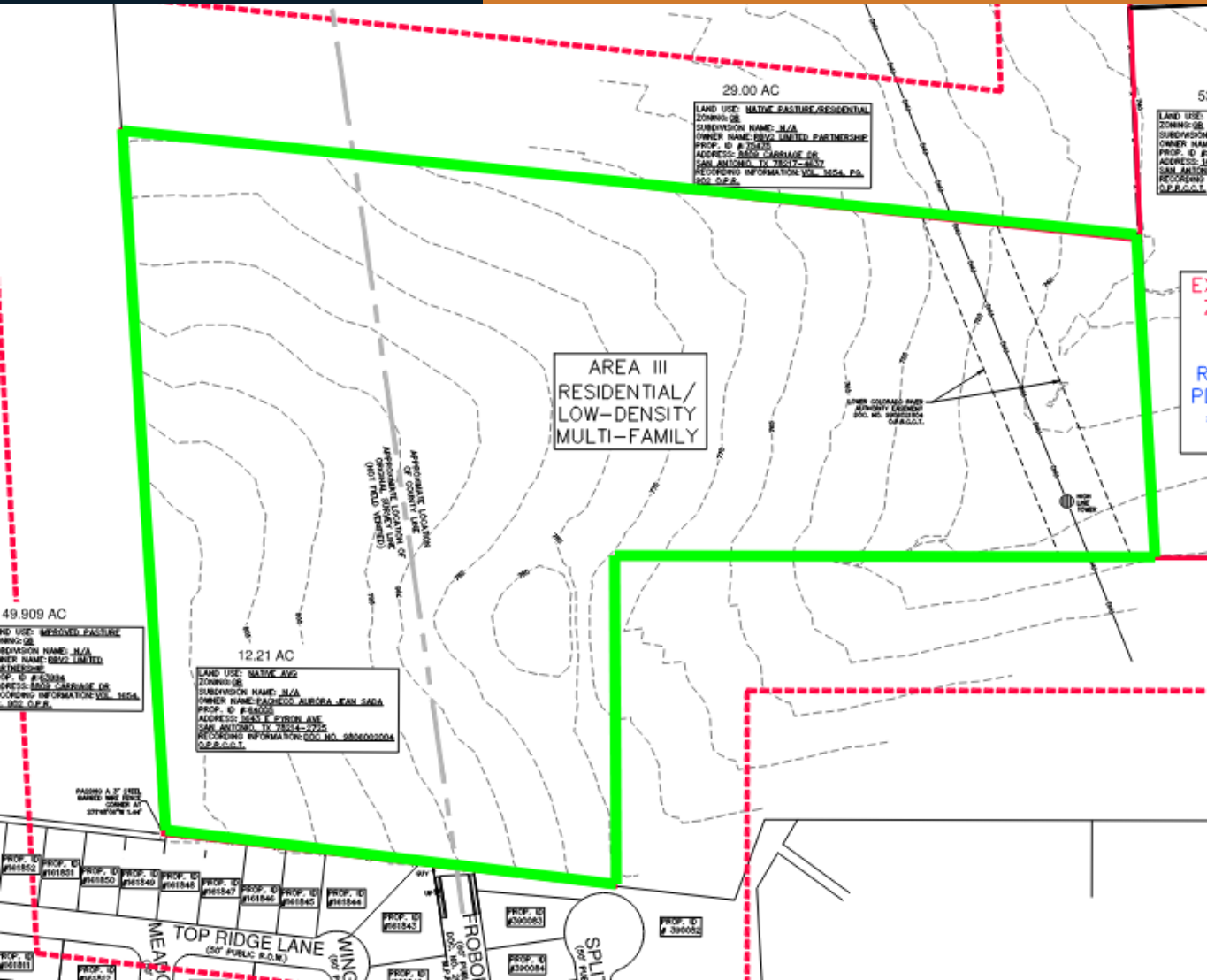
Table II.A – Dimensional Requirements

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.

Schertz Gateway PDD



- Area III – Residential/ Low Density Multi-Family
- 29.92 Acres
- R-4 (Multi-Family) Use
- Trees planted at 3"
- 11 Trees per acre
- Planned extension of Froboese Lane
- 40 foot landscape buffer adjacent to Cypress Point

Schertz Gateway PDD

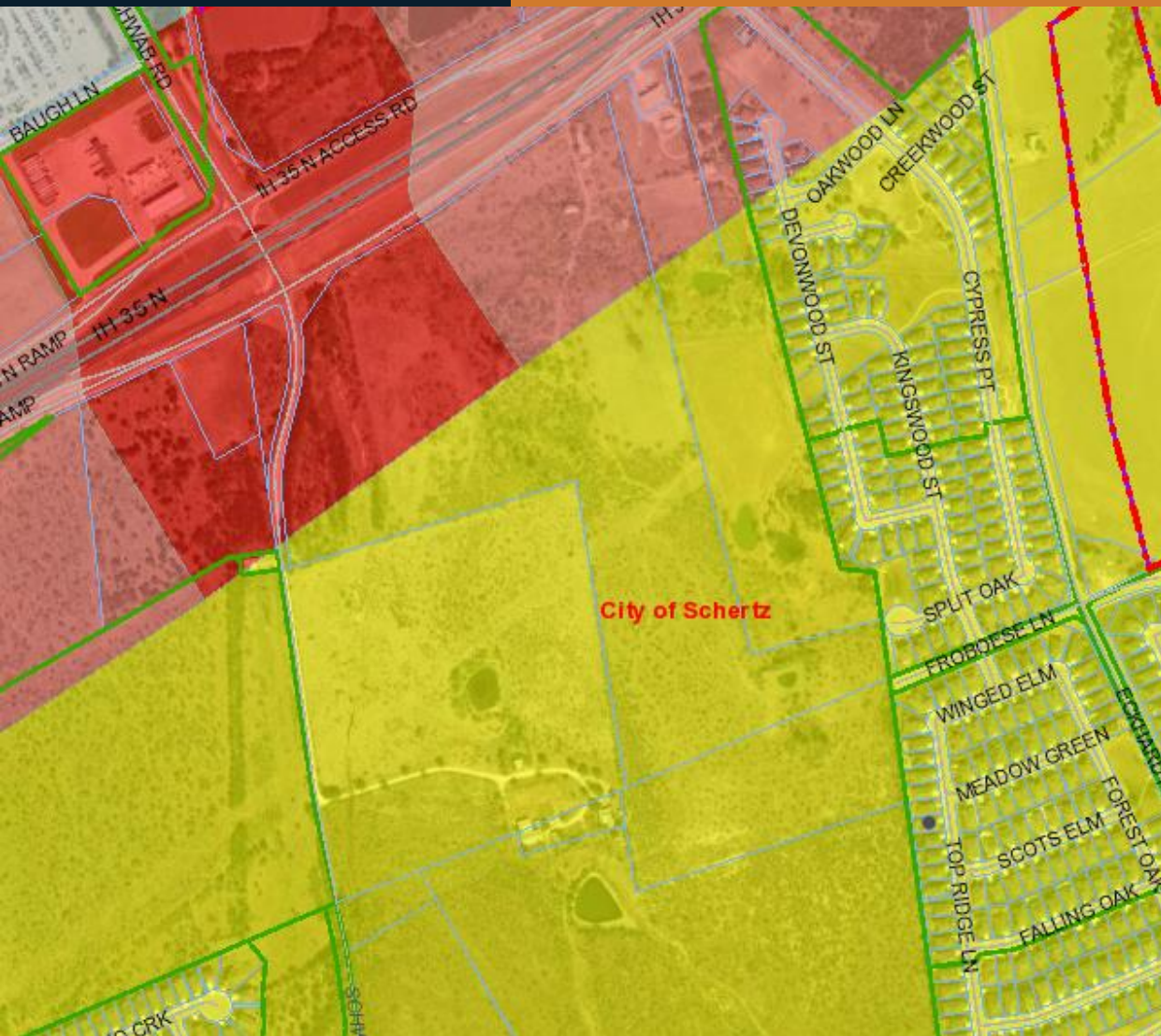
Table III.A – Dimensional Requirements


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.

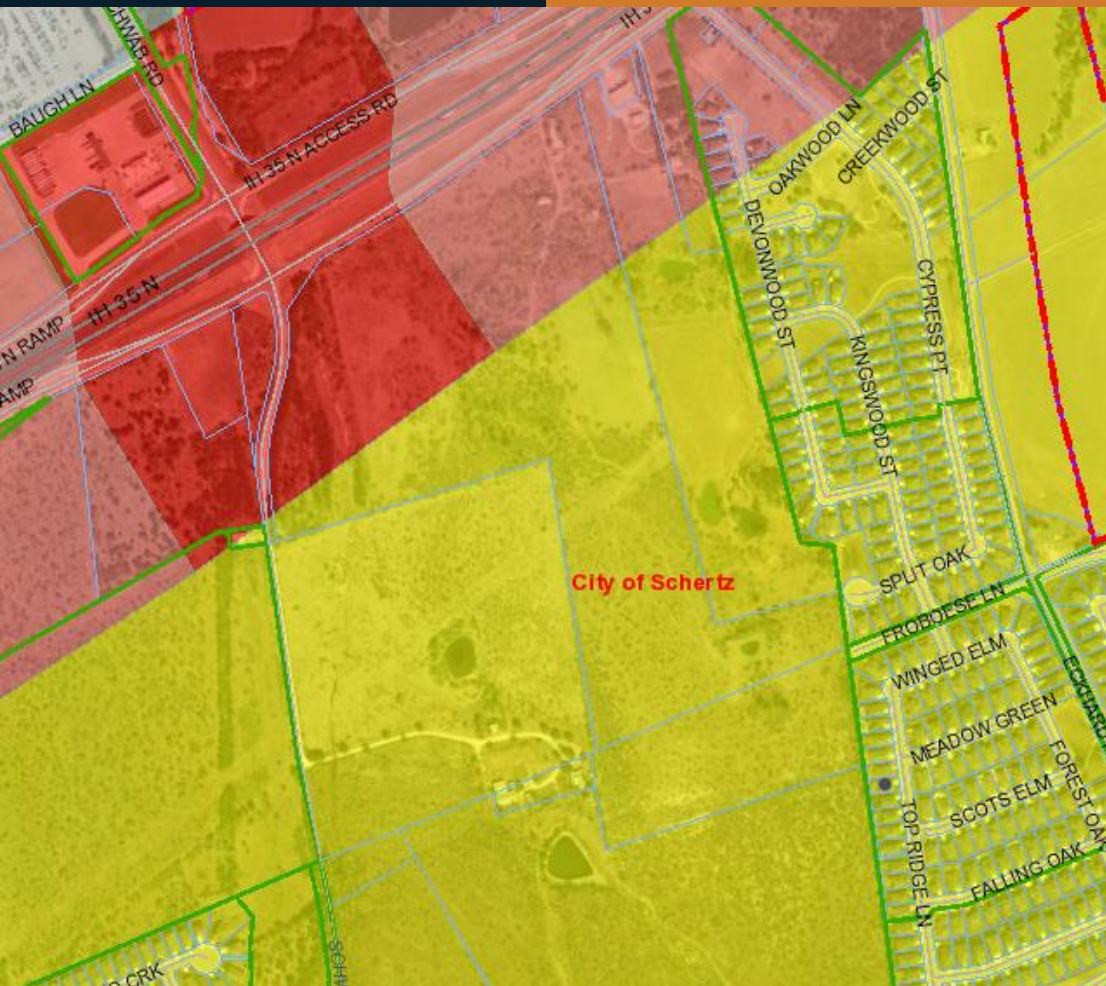
 Highway Commercial

- Regional scale retail and commercial that take advantage of highway frontage.

Comp Plan

vs

Zoning



- Single Family Residential
- Commercial Campus
- Highway Commercial



- (PDD) Planned Development
- (GB) General Business
- (R-6) Single-family Residential
- (R-7) Single-family Residential

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."
- "Housing should be developed to meet all needs of the community in terms of affordability, availability, adequacy, and accessibility"
- "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"

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-

- The proposed commercial in Area I is more appropriate adjacent to the IH 35; 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-

- Commercial uses (Area 1) are appropriate along IH 35.
- Multi-family development appropriate adjacent to commercial

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-

- Proximity to IH35
- Master Thoroughfare Plan assumes higher intensity development in this area with a planned East-West Connector (Froboese) and improvements to Schwab Road.
- 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
- Comp 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

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
- Scope and scale of development will see improvements to two Major Thoroughfare Plan routes.

Staff Analysis - Section 21.5.10.F

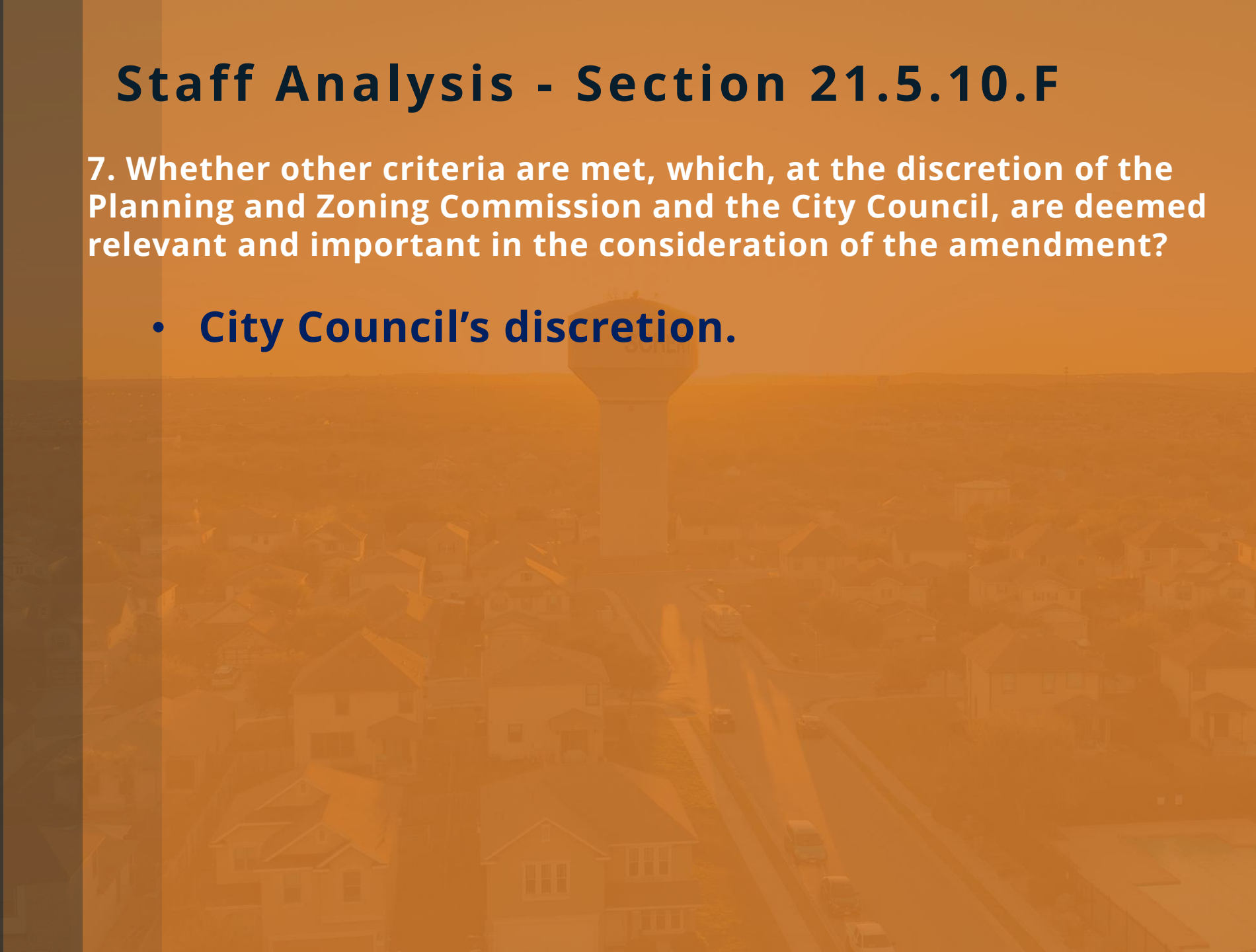
6. Whether all of the applicant's back taxes owed to the City have been paid in full (no application will receive final approval until all back taxes are paid in full?)

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.**
- **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 landscape buffer abutting the Cypress Point Subdivision.**
- **City Council met on January 9, 2024 and approved Ord. 23-S-35 with a 7-0 vote**

COMMENTS & QUESTIONS

CITY COUNCIL MEMORANDUM

City Council Meeting: January 16, 2024
Department: Facility & Fleet
Subject: Resolution 24-R-01 - Authorizing expenditures with Alamo Restorations, LLC. for the EMS kitchen remodel. (B.James/D.Hardin-Trussell/C.Lonsberry)

BACKGROUND

The EMS Kitchen in Building 7 has the original stove, vent hood, cabinets and countertops from when the building was constructed in 1999. The kitchen needs to be remodeled to bring all items up to standard and code. A new stove, cabinet doors, and countertops need to be installed along with a vent hood with an Ansul/fire suppression system to meet the current building/fire-safety code requirements. This project was approved with PO 24-49918 for \$48,028.87. The original quote was submitted during the summer with plans to begin the approval process at the start of FY 23-24. The original vent hood quoted has a manufactured "lead-time" of 50+ weeks due to uncontrollable circumstances. The only vent hood the vendor was able to find in stock and performs the same way as the original has dimensions that are 1 foot larger and the vent hood, and labor to install is more expensive. This change pushes the total project cost over \$50,000.00 which requires City Council approval.

GOAL

Receive authorization for an amended contract of up to \$64,717.94 with Alamo Restorations, LLC to complete the remodel the EMS Kitchen.

COMMUNITY BENEFIT

Paramedics, EMTs and the Battalion Chiefs will have a new-looking, fully functioning kitchen that meets current building and fire-safety codes where they can cook their meals while they are living in the EMS building during their shifts.

SUMMARY OF RECOMMENDED ACTION

Approval of Resolution of 24-0R-01 authorizing an amended contract with Alamo Restorations, LLC. for up to \$64,717.94.

FISCAL IMPACT

The additional cost associated with the amended contract is \$16,689.07 which will be funded by the EMS Department.

RECOMMENDATION

Approval of Resolution 24-R-01.

Attachments

Resolution 24-R-01 with attachment

RESOLUTION NO. 24-R-01

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AUTHORIZING EXPENDITURES TO ALAMO RESTORATIONS, LLC. FOR THE EMS KITCHEN REMODEL AND OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, the Facilities Maintenance Department has a responsibility to remodel the kitchen located in EMS Building 7; and

WHEREAS, the purpose of the remodel is to upgrade equipment in order to meet current fire code and standards; and

WHEREAS, there was an increase in cost due to supply issues and long lead time on certain supplies; and

WHEREAS, the City Council authorizes City staff to increase the contract amount to Alamo Restorations, LLC. for remodeling the EMS Building 7 kitchen. in the Fiscal Year 2023-2024.

NOW THEREFORE, 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 amended contract with Alamo Restorations, LLC. to remodel the EMS Building 7 kitchen and expenditures up to \$64,717.94 as attached in Exhibit "A".

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

Exhibit "A"
Amended Contract

AMENDMENT ONE

This Amendment is made to the Agreement previously executed by and between the CITY OF SCHERTZ, TEXAS ("City") and Alamo Restoration, LLC, ("Contractor") via City of Schertz Purchase Order 24-49947 (attached hereto as Attachment A).

It is mutually understood and agreed by and between the undersigned contracting parties to replace the previously executed agreement with Attachment B:

EXECUTED on this the _____ day of _____, 2024.

CITY:

CONTRACTOR:

By: _____
Name: Steve Williams
Title: City Manager

By: _____
Name: _____
Title: _____

ADDRESS FOR NOTICE:

CITY:

City of Schertz
Attn: City Manager
1400 Schertz Parkway
Schertz, Texas 78154

CONTRACTOR:

Alamo Restoration
232 Berry Oaks Dr
Bulverde, TX 78163
alamorestoration.llc@gmail.com

**ATTACHMENT A
ORIGINAL AGREEMENT**

ATTACHMENT A

P U R C H A S E O R D E R

City of Schertz

PURCHASE ORDER # 24-49918

10/31/2023

SHIP TO:

City of Schertz
1400 Schertz Parkway
Schertz, TX

ISSUED TO:

VEND #: 01-12471 REQ #24-49947
ALAMO RESTORATION LLC
232 BERRY OAKS DR
BULVERDE, TX 78163

UNITS	DESCRIPTION	PROJ	G/L ACCOUNT	PRICE	AMOUNT
0.00	FS/EMS KITCHEN REMODEL	101-878-581700	Improvements Over \$5,000	0.00	24,014.43
0.00	FS/EMS KITCHEN REMODEL REMODEL OF THE EMS KITCHEN	101-878-581700	Improvements Over \$5,000	0.00	24,014.44

*** TOTAL *** 48,028.87

ORDERED BY : CHAD LONSBERRY

APPROVED BY: D. HARDIN TRUSSELL

The City's Standard Purchase Order Terms and Conditions located at www.schertz.com/?page_id=1621 are incorporated into and are part of this PO for all purposes. Vendor's action in (a) accepting this order, (b) delivering materials, or (c) performing requested services shall constitute an acceptance of these terms and conditions.

Alamo Restoration

Alamo Restoration llc
232 Berry Oaks Dr.
Bulverde, TX 78163
210.401.0734 office
210.385.6133 cell

Insured: City of Shertz - EMS Remodel
Property: 1400 Schertz Parkway #7
Schertz, TX 78154

Business: (210) 619-1530

Estimator: Phil Gradel

Business: (214) 604-3929

Contractor: Jonathan Clark
Company: Alamo Restoration
Business: 232 Berry Oaks Dr
Bulverde, TX 78163

Business: (210) 385-6133
E-mail: alamorestoration.llc@gmail.com

Claim Number:

Policy Number:

Type of Loss: Other

Date Contacted: 6/28/2023 3:06 PM

Date of Loss:

Date Received: 6/28/2023 3:06 PM

Date Inspected: 6/29/2023 9:00 AM

Date Entered: 6/29/2023 2:58 PM

Price List: TXSA8X_01JUN23
Restoration/Service/Remodel
Estimate: SCHERTZ_EMS

Alamo Restoration

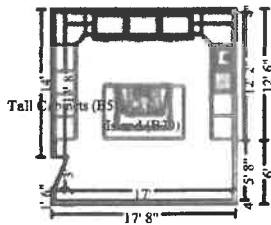
Alamo Restoration llc
 232 Berry Oaks Dr.
 Bulverde, TX 78163
 210.401.0734 office
 210.385.6133 cell

SCHERTZ_EMS

SCHERTZ_EMS

DESCRIPTION	QTY	REMOVE	REPLACE	TAX	O&P	TOTAL
1. Tandem axle dump trailer - per load - including dump fees	0.50 EA	305.83	0.00	0.00	32.11	185.03
Total: SCHERTZ_EMS				0.00	32.11	185.03

EMS Kitchen



Kitchen

Height: 9'

496.92 SF Walls	303.17 SF Ceiling
800.08 SF Walls & Ceiling	303.17 SF Floor
33.69 SY Flooring	64.00 LF Floor Perimeter
69.67 LF Ceil. Perimeter	

Missing Wall - Goes to neither Floor/Ceiling 12' 2" X 6' 6"

Opens into Exterior

DESCRIPTION	QTY	REMOVE	REPLACE	TAX	O&P	TOTAL
2. R&R Cabinetry - lower (base) units - High grade	28.00 LF	7.85	316.72	0.00	1,908.48	10,996.44
3. R&R Cabinetry - upper (wall) units - High grade	18.00 LF	7.85	224.58	0.00	878.58	5,062.32
4. R&R Cabinetry - full height unit - High grade	6.50 LF	9.40	396.97	0.00	554.69	3,196.10
5. Cabinet knob or pull	42.00 EA	0.00	8.74	0.00	77.09	444.17
6. Remove Countertop - flat laid plastic laminate	49.67 LF	4.50	0.00	0.00	46.94	270.46
7. Countertop - Granite or Marble - High grade	119.00 SF	0.00	83.48	0.00	2,086.16	12,020.28
8. Add on for undermount sink cutout & polish - double basin	1.00 EA	0.00	253.57	0.00	53.25	306.82
9. R&R Kitchen Sink - single basin - High grade	1.00 EA	19.59	493.58	0.00	107.76	620.93
10. Sink faucet - Kitchen - High grade	1.00 EA	0.00	395.93	0.00	83.14	479.07
11. Garbage disposer - High grade	1.00 EA	0.00	336.41	0.00	70.65	407.06
12. R&R Dishwasher - High grade	1.00 EA	27.97	1,001.20	0.00	216.13	1,245.30
13. R&R Plumbing fixture supply line	3.00 EA	5.22	22.81	0.00	17.66	101.75
14. R&R Angle stop valve	3.00 EA	5.22	39.12	0.00	27.94	160.96
15. R&R P-trap assembly - ABS (plastic)	1.00 EA	7.83	71.89	0.00	16.74	96.46
16. Refrigerator - Remove & reset	3.00 EA	0.00	52.30	0.00	32.95	189.85

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CONTINUED - Kitchen

DESCRIPTION	QTY	REMOVE	REPLACE	TAX	O&P	TOTAL
17. Remove Range hood	1.00 EA	13.14	0.00	0.00	2.76	15.90
18. Range hood - stainless steel - oversized - High grade	1.00 EA	0.00	3,359.48	0.00	705.49	4,064.97
19. Range hood - add on cost for ceiling mount/island hood	1.00 EA	0.00	420.44	0.00	88.29	508.73
20. Direct vent termination cap - stainless steel	1.00 EA	0.00	371.58	0.00	78.03	449.61
21. R&R Range - Commercial - 36" - gas	1.00 EA	97.88	5,495.98	0.00	1,174.72	6,768.58
22. Final cleaning - construction - Commercial	303.17 SF	0.00	0.24	0.00	15.28	88.04
Totals: Kitchen				0.00	8,242.73	47,493.80
Total: EMS Kitchen				0.00	8,242.73	47,493.80

Labor Minimums Applied

DESCRIPTION	QTY	REMOVE	REPLACE	TAX	O&P	TOTAL
23. Electrical labor minimum	1.00 EA	0.00	108.00	0.00	22.68	130.68
24. Heat, vent, & air cond. labor minimum	1.00 EA	0.00	181.29	0.00	38.07	219.36
Totals: Labor Minimums Applied				0.00	60.75	350.04
Line Item Totals: SCHERTZ_EMS				0.00	8,335.59	48,028.87

Grand Total Areas:

496.92 SF Walls	303.17 SF Ceiling	800.08 SF Walls and Ceiling
303.17 SF Floor	33.69 SY Flooring	64.00 LF Floor Perimeter
0.00 SF Long Wall	0.00 SF Short Wall	69.67 LF Ceil. Perimeter
303.17 Floor Area	326.83 Total Area	496.92 Interior Wall Area
593.25 Exterior Wall Area	72.33 Exterior Perimeter of Walls	
0.00 Surface Area	0.00 Number of Squares	0.00 Total Perimeter Length
0.00 Total Ridge Length	0.00 Total Hip Length	

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Summary for Dwelling

Line Item Total	39,693.28
Overhead	4,366.25
Profit	3,969.34
	<hr/>
Replacement Cost Value	\$48,028.87
Net Claim	\$48,028.87
	<hr/> <hr/>

Phil Gradel

Alamo Restoration

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232 Berry Oaks Dr.
Bulverde, TX 78163
210.401.0734 office
210.385.6133 cell

Recap of Taxes, Overhead and Profit

	Overhead (11%)	Profit (10%)
Line Items	4,366.25	3,969.34
Total	4,366.25	3,969.34

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Recap by Room

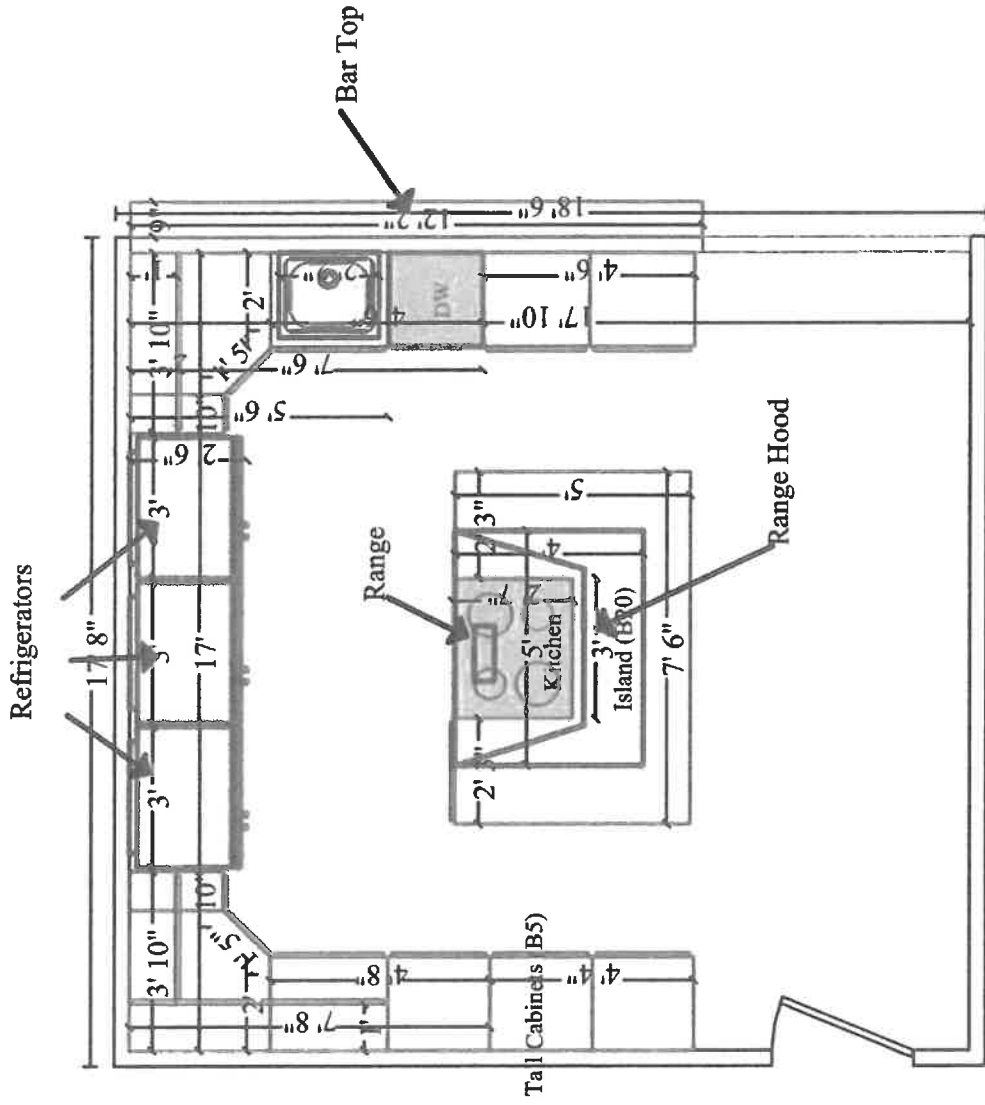
Estimate: SCHERTZ_EMS	152.92	0.39%
Area: EMS Kitchen		
Kitchen	39,251.07	98.89%
<hr/>		
Area Subtotal: EMS Kitchen	39,251.07	98.89%
Labor Minimums Applied	289.29	0.73%
<hr/>		
Subtotal of Areas	39,693.28	100.00%
<hr/>		
Total	39,693.28	100.00%

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Recap by Category

O&P Items	Total	%
APPLIANCES	10,770.41	22.42%
CABINETRY	26,045.68	54.23%
CLEANING	72.76	0.15%
GENERAL DEMOLITION	996.37	2.07%
ELECTRICAL	108.00	0.22%
HEAT, VENT & AIR CONDITIONING	552.87	1.15%
PLUMBING	1,147.19	2.39%
O&P Items Subtotal	39,693.28	82.64%
Overhead	4,366.25	9.09%
Profit	3,969.34	8.26%
Total	48,028.87	100.00%



ATTACHMENT B
AMENDED AGREEMENT

ATTACHMENT B

Section 1. Duration

This Agreement shall become effective upon the date of the final signature affixed hereto and shall remain in effect until satisfactory completion of the Scope of Work unless terminated as provided for in this Agreement.

Section 2. Scope of Work

- (A) Contractor shall perform the Work as more particularly described in the Scope of Work attached hereto as Exhibit "A". The work as described in the Scope of Work constitutes the "Project".
- (B) The Quality of Work provided under this Agreement shall be of the level of quality performed by Contractors regularly rendering this type of service.
- (C) The Contractor shall perform its Work for the Project in compliance with all statutory, regulatory and contractual requirements now or hereafter in effect as may be applicable to the rights and obligations set forth in the Agreement.
- (D) The Contractor may rely upon the accuracy of reports and surveys provided to it by the City except when defects should have been apparent to a reasonably competent Contractor or when it has actual notice of any defects in the reports and surveys.

Section 3. Compensation

- (A) The Contractor shall be paid in full upon completion of the project or in the manner set forth in Exhibit "A" and as provided herein.
- (B) *Billing Period.* Subject to Chapter 2251, Texas Government Code (the "Prompt Payment Act"), payment is due within thirty (30) days of the City's receipt of the Contractor's invoice. Interest on overdue payments shall be calculated in accordance with the Prompt Payment Act.
- (C) *Reimbursable Expenses.* Any and all reimbursable expenses related to the Project shall be included in the scope of Work (Exhibit A) and accounted for in the total contract amount.

Section 4. Contract Completion

- (A) *Project Duration.* The prompt completion of the Work under the Scope of Work relates is critical to the City. Unnecessary delays in providing Work under a Scope of Work shall be grounds for dismissal of the Contractor and termination of this Agreement without any or further liability to the City other than a prorated payment for necessary, timely, and conforming work done by Contractor prior to the time of termination.
- (B) *Liquidated Damages.* Contractor and Owner recognize that time is of the essence as stated in Paragraph A above and that Owner will suffer financial and other losses if the Work is not completed and Milestones not achieved within the times specified in Paragraph A above, plus any extensions thereof allowed in accordance with the Contract. The Contractor acknowledges and recognizes that the Owner is entitled to

full and beneficial occupancy and use of the completed work following expiration of the Contract Time. The Contractor further acknowledges and agrees that, if the Contractor fails to substantially, or cause the Substantial Completion of any portion of the Work within the Contract time, the Owner will sustain actual damages as a result of such failure. The exact amount of such damages will be difficult to ascertain. Therefore, the Owner and Contractor agree that, if the Contractor shall neglect, fail, or refuse to achieve substantial completion of the Work by the Substantial Completion date, subject to proper extension granted by the Owner, then the Contractor agrees to pay the Owner the sum of **Six hundred dollars (\$600.00)** per day for each day in which such Work is not completed, not as penalty, but as liquidated damages, for the damages ("Liquidated Damages") that would be suffered by Owner as a result of delay for each and every calendar day that the Contractor shall have failed to have completed the Work as required herein. The Liquidated Damages shall be in lieu of any and all other damages which may be incurred by Owner as a result of the failure of Contractor to complete within the Project Duration.

Section 5. Insurance

Before commencing work under this Agreement, Contractor shall obtain and maintain the liability insurance provided for in the attached Exhibit B throughout the term of the Project plus an additional two years.

In addition to the insurance provided for in Exhibit B, Contractor shall maintain the following limits and types of insurance:

Workers Compensation Insurance: Contractor shall carry and maintain during the term of this Agreement, workers compensation and employers liability insurance meeting the requirements of the State of Texas on all the Contractor's employees carrying out the work involved in this contract.

General Liability Insurance: Contractor shall carry and maintain during the term of this Agreement, general liability insurance on a per occurrence basis with limits of liability not less than \$1,000,000 for each occurrence and for fire damage. For Bodily Injury and Property Damage, coverage shall be no less than \$1,000,000. As a minimum, coverage for Premises, Operations, Products and Completed Operations shall be \$2,000,000. This coverage shall protect the public or any person from injury or property damages sustained by reason of the Contractor or its employees carrying out the work involved in this Agreement. The general aggregate shall be no less than \$2,000,000.

Automobile Liability Insurance: Contractor shall carry and maintain during the term of this Agreement, automobile liability insurance with either a combined limit of at least \$1,000,000 per occurrence for bodily injury and property damage or split limits of at least \$1,000,000 for bodily injury per person per occurrence and \$1,000,000 for property damage per occurrence. Coverage shall include all owned, hired, and non-owned motor vehicles used in the performance of this contract by the Contractor or its employees.

Subcontractor: In the case of any work sublet, the Contractor shall require subcontractor and independent contractors working under the direction of either the Contractor or a subcontractor

to carry and maintain the same workers compensation and liability insurance required of the Contractor.

Qualifying Insurance: The insurance required by this Agreement shall be written by non-assessable insurance company licensed to do business in the State of Texas and currently rated "B+" or better by the A.M. Best Companies. All policies shall be written on a "per occurrence basis" and not a "claims made" form.

Evidence of such insurance shall be attached as Exhibit "C".

Failure of Certificate Holder to demand a certificate or other evidence of full compliance with these insurance requirements or failure of Certificate Holder to identify a deficiency from evidence that is provided will not be construed as a waiver of Insured's obligation to maintain such insurance.

Section 6. Miscellaneous Provisions

- (A) *Subletting.* The Contractor shall not sublet or transfer any portion of the work under this Agreement or any Scope of Work issued pursuant to this Agreement unless specifically approved in writing by the City, which approval shall not be unreasonably withheld. Subcontractors shall comply with all provisions of this Agreement and the applicable Scope of Work. The approval or acquiescence of the City in the subletting of any work shall not relieve the Contractor of any responsibility for work done by such subcontractor.
- (B) *Compliance with Laws.* The Contractor shall comply with all federal, state and local laws, statutes, ordinances, rules and regulations, and the orders and decrees of any courts, administrative, or regulatory bodies in any matter affecting the performance of this Agreement, including, without limitation, worker's compensation laws, minimum and maximum salary and wage statutes and regulations, and licensing laws and regulations. When required, the Contractor shall furnish the City with satisfactory proof of compliance.
- (C) *Independent Contractor.* Contractor acknowledges that Contractor is an independent contractor of the City and is not an employee, agent, official or representative of the City. Contractor shall not represent, either expressly or through implication, that Contractor is an employee, agent, official or representative of the City. Income taxes, self-employment taxes, social security taxes and the like are the sole responsibility of the Contractor.
- (D) *Non-Collusion.* Contractor represents and warrants that Contractor has not given, made, promised or paid, nor offered to give, make, promise or pay any gift, bonus, commission, money or other consideration to any person as an inducement to or in order to obtain the work to be provided to the City under this Agreement. Contractor further agrees that Contractor shall not accept any gift, bonus, commission, money, or other consideration from any person (other than from the City pursuant to this Agreement) for any of the Work performed by Contractor under or related to this Agreement. If any such gift, bonus, commission, money, or other consideration is received by or offered to Contractor, Contractor shall immediately report that fact to the City and, at the sole option of the City, the City may elect to accept the consideration for itself or to take the value of such consideration as a credit against the compensation otherwise owing to Contractor under or pursuant to this Agreement.

(E) *Force Majeure.* If the performance of any covenant or obligation to be performed hereunder by any party is delayed as a result of circumstances which are beyond the reasonable control of such party (which circumstances may include, without limitation, pending litigation, acts of God, war, acts of civil disobedience, fire or other casualty, shortage of materials, adverse weather conditions [such as, by way of illustration and not of limitation, severe rain storms or below freezing temperatures, or tornados] labor action, strikes or similar acts, moratoriums or regulations or actions by governmental authorities), the time for such performance shall be extended by the amount of time of such delay, but no longer than the amount of time reasonably occasioned by the delay. The party claiming delay of performance as a result of any of the foregoing force majeure events shall deliver written notice of the commencement of any such delay resulting from such force majeure event not later than seven (7) days after the claiming party becomes aware of the same, and if the claiming party fails to so notify the other party of the occurrence of a force majeure event causing such delay and the other party shall not otherwise be aware of such force majeure event, the claiming party shall not be entitled to avail itself of the provisions for the extension of performance contained in this subsection.

(F) In the case of any conflicts between the terms of this Agreement and wording contained within the Scope of Work, this Agreement shall govern. The Scope of Work is intended to detail the technical scope of Work, fee schedule, and contract time only and shall not dictate Agreement terms.

Other Agreements Between Parties: In the case of any conflicts between the terms of this Agreement and wording contained within any other attachment, amendment, and agreement executed between the parties in conjunction with this Agreement, this Agreement shall govern.

(G) *Non-Boycott of Israel.* Pursuant to Section 2270.002 of the Texas Government Code, Contractor certifies that either (i) it meets an exemption criterion under Section 2270.002; or (ii) it does not boycott Israel and will not boycott Israel during the term of the contract resulting from this solicitation. Contractor shall state any facts that make it exempt from the boycott certification as an attachment to this agreement.

Relevant definitions from the bill:

"Company" means a for-profit sole proprietorship, organization, association, corporation, partnership, joint venture, limited partnership, limited liability partnership, or limited liability company, including a wholly owned subsidiary, majority-owned subsidiary, parent company, or affiliate of those entities or business associations that exists to make a profit.

"Boycott Israel" means refusing to deal with, terminating business activities with, or otherwise taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations specifically with Israel, or with a person or entity doing business in Israel or in an Israeli-controlled territory, but does not include an action made for ordinary business purposes.

(H) *Access to Premises.* Authorized representatives of the Contractor will be allowed access to the facilities on City premises at reasonable times to perform the obligations of the Contractor regarding such facilities. Contractor shall adhere to all City rules, regulations,

and guidelines while on City property. It is expressly understood that the City may limit or restrict the right of access herein granted in any manner considered necessary (e.g., national security, public safety).

Section 7. Termination

(A) This Agreement may be terminated:

- (1) By the mutual agreement and consent of both Contractor and City;
- (2) By either party, upon the failure of the other party to fulfill its obligations as set forth in either this Agreement or a Scope of Work issued under this Agreement;
- (3) By the City, immediately upon notice in writing to the Contractor, as consequence of the failure of Contractor to perform the Work contemplated by this Agreement in a timely or satisfactory manner;
- (4) By the City, at will and without cause upon not less than five (5) days written notice to the Contractor.

(B) If the City terminates this Agreement pursuant to subsection 7(A)(2) or (3), above, the Contractor shall not be entitled to any fees or reimbursable expenses other than the fees and reimbursable expenses then due and payable as of the time of termination and only then for those Work that have been timely and adequately performed by the Contractor considering the actual costs incurred by the Contractor in performing work to date of termination, the value of the work that is nonetheless usable to the City, the cost to the City of employing another Contractor to complete the work required and the time required to do so, and other factors that affect the value to the City of the work performed at time of termination. In the event of termination not the fault of the Contractor, the Contractor shall be compensated for all basic, special, and additional Work actually performed prior to termination, together with any reimbursable expenses then due.

Section 8. Indemnification

CONTRACTOR AGREES TO INDEMNIFY AND HOLD THE CITY OF SCHERTZ, TEXAS AND ALL OF ITS PRESENT, FUTURE AND FORMER AGENTS, EMPLOYEES, OFFICIALS AND REPRESENTATIVES HARMLESS IN THEIR OFFICIAL, INDIVIDUAL AND REPRESENTATIVE CAPACITIES FROM ANY AND ALL CLAIMS, DEMANDS, CAUSES OF ACTION, JUDGMENTS, LIENS AND EXPENSES (INCLUDING ATTORNEY'S FEES, WHETHER CONTRACTUAL OR STATUTORY), COSTS AND DAMAGES (WHETHER COMMON LAW OR STATUTORY), COSTS AND DAMAGES (WHETHER COMMON LAW OR STATUTORY, AND WHETHER ACTUAL, PUNITIVE, CONSEQUENTIAL OR INCIDENTAL), OF ANY CONCEIVABLE CHARACTER, FOR INJURIES TO PERSONS (INCLUDING DEATH) OR TO PROPERTY (BOTH REAL AND PERSONAL) CREATED BY, ARISING FROM OR IN ANY MANNER RELATING TO THE WORK OR GOODS PERFORMED OR PROVIDED BY CONTRACTOR – EXPRESSLY INCLUDING THOSE ARISING THROUGH STRICT LIABILITY OR UNDER THE CONSTITUTIONS OF THE UNITED STATES.

Section 9. Notices

Any notice required or desired to be given from one party to the other party to this Agreement shall be in writing and shall be given and shall be deemed to have been served and received (whether actually received or not) if (i) delivered in person to the address set forth below; (ii) deposited in an official depository under the regular care and custody of the United States Postal Service located within the confines of the United States of America and sent by certified mail, return receipt requested, and addressed to such party at the address hereinafter specified; or (iii) delivered to such party by courier receipted delivery. Either party may designate another address within the confines of the continental United States of America for notice, but until written notice of such change is actually received by the other party, the last address of such party designated for notice shall remain such party's address for notice.

Section 10. No Assignment

Neither party shall have the right to assign that party's interest in this Agreement without the prior written consent of the other party.

Section 11. Severability

If any term or provision of this Agreement is held to be illegal, invalid or unenforceable, the legality, validity or enforceability of the remaining terms or provisions of this Agreement shall not be affected thereby, and in lieu of each such illegal, invalid or unenforceable term or provision, there shall be added automatically to this Agreement a legal, valid or enforceable term or provision as similar as possible to the term or provision declared illegal, invalid or unenforceable.

Section 12. Waiver

Either City or the Contractor shall have the right to waive any requirement contained in this Agreement that is intended for the waiving party's benefit, but, except as otherwise provided herein, such waiver shall be effective only if in writing executed by the party for whose benefit such requirement is intended. No waiver of any breach or violation of any term of this Agreement shall be deemed or construed to constitute a waiver of any other breach or violation, whether concurrent or subsequent, and whether of the same or of a different type of breach or violation.

Section 13. Governing Law; Venue

This Agreement and all of the transactions contemplated herein shall be governed by and construed in accordance with the laws of the State of Texas. The provisions and obligations of this Agreement are performable in Guadalupe County, Texas such that exclusive venue for any action arising out of this Agreement shall be in Guadalupe County, Texas.

Section 14. Paragraph Headings; Construction

The paragraph headings contained in this Agreement are for convenience only and shall in no way enlarge or limit the scope or meaning of the various and several paragraphs hereof. Both parties have participated in the negotiation and preparation of this Agreement and this Agreement shall not be construed either more or less strongly against or for either party.

Section 15. Binding Effect

Except as limited herein, the terms and provisions of this Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, devisees, personal and legal representatives, successors and assigns.

Section 16. Gender

Within this Agreement, words of any gender shall be held and construed to include any other gender, and words in the singular number shall be held and construed to include the plural, unless the context otherwise requires.

Section 17. Counterparts

This Agreement may be executed in multiple counterparts, each of which shall be deemed an original, and all of which shall constitute but one and the same instrument.

Section 18. Exhibits

All exhibits to this Agreement are incorporated herein by reference for all purposes wherever reference is made to the same.

Section 19. Entire Agreement

It is understood and agreed that this Agreement contains the entire agreement between the parties and supersedes any and all prior agreements, arrangements or understandings between the parties relating to the subject matter. No oral understandings, statements, promises or inducements contrary to the terms of this Agreement exist. This Agreement cannot be changed or terminated orally.

Section 20. Relationship of Parties

Nothing contained in this Agreement shall be deemed or construed by the parties hereto or by any third party to create the relationship of principal and agent or of partnership or of joint venture or of any association whatsoever between the parties, it being expressly understood and agreed that no provision contained in this Agreement nor any act or acts of the parties hereto shall be deemed to create any relationship between the parties other than the relationship of independent parties contracting with each other solely for the purpose of effecting the provisions of this Agreement.

Section 21. Right To Audit

City shall have the right to examine and audit the books and records of Contractor with regards to the work described in Exhibit A, or any subsequent changes, at any reasonable time. Such books and records will be maintained in accordance with generally accepted principles of accounting and will be adequate to enable determination of: (1) the substantiation and accuracy of any payments required to be made under this Agreement; and (2) compliance with the provisions of this Agreement.

Section 22. Dispute Resolution

In accordance with the provisions of Subchapter I, Chapter 271, TEX. LOCAL GOV'T CODE, the parties agree that, prior to instituting any lawsuit or other proceeding arising from a dispute under this agreement, the parties will first attempt to resolve the dispute by taking the following steps: (1) A written notice substantially describing the nature of the dispute shall be delivered by the dissatisfied party to the other party, which notice shall request a written response to be delivered to the dissatisfied party not less than 5 days after receipt of the notice of dispute. (2) If the response does not reasonably resolve the dispute, in the opinion of the dissatisfied party, the dissatisfied party shall give notice to that effect to the other party whereupon each party shall appoint a person having authority over the activities of the respective parties who shall promptly meet, in person, in an effort to resolve the dispute. (3) If those persons cannot or do not resolve the dispute, then the parties shall each appoint a person from the highest tier of managerial responsibility within each respective party, who shall then promptly meet, in person, in an effort to resolve the dispute.

Section 23. Disclosure of Business Relationships/Affiliations; Conflict of Interest Questionnaire

Contractor represents that it is in compliance with the applicable filing and disclosure requirements of Chapter 176 of the Texas Local Government Code.

Certificate of Interested Parties

Effective January 1, 2016, pursuant to House Bill 1295 passed by the 84th Texas Legislature (Section 2252.908, Texas Government Code, as amended) and formal rules released by the Texas Ethics Commission (TEC), all contracts with private business entities requiring approval by the Schertz City Council will require the on-line completion of Form 1295 "Certificate of Interested Parties." Form 1295 is also required for any and all contract amendments, extensions or renewals. Contractors are required to complete and file electronically with the Texas Ethics Commission using the online filing application.

Please visit the State of Texas Ethics Commission website, https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm and <https://www.ethics.state.tx.us/tec/1295-Info.htm> for more information.

IF YOU HAVE ANY QUESTIONS ABOUT COMPLIANCE, PLEASE CONSULT YOUR OWN LEGAL COUNSEL. COMPLIANCE IS THE INDIVIDUAL RESPONSIBILITY OF EACH PERSON OR AGENT OF A PERSON WHO IS SUBJECT TO THE FILING REQUIREMENT. AN OFFENSE UNDER CHAPTER 176 IS A CLASS C MISDEMEANOR.

Section 24. Prevailing Wage Rates

In accordance with Texas Government Code Chapter 2258, all transactions regarding this contract shall be done in compliance with the Davis-Bacon Act (40 U.S.C. 3141- 3144, and 3146-3148) and the requirements of 29C.F.R. pt. 5 as may be applicable. The contractor shall comply with 40 U.S.C. 3141-3144, and 3146-3148 and the requirements of 29 C.F.R. pt. 5 as applicable.

- (A) Contractors are required to pay wages to laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination made by the Secretary of Labor.
- (B) Contractors are required to pay wages not less than once a week.
- (C) Contractors shall provide documentation confirming compliance upon request by City.

[The remainder of this page is intentionally left blank.]

Exhibit A
SCOPE OF WORK

EXHIBIT A

Alamo Restoration

Alamo Restoration llc
232 Berry Oaks Dr.
Bulverde, TX 78163
210.401.0734 office
210.385.6133 cell

Insured: City of Shertz - EMS Remodel
Property: 1400 Schertz Parkway #7
Schertz, TX 78154

Business: (210) 619-1530

Estimator: Phil Gradel

Business: (214) 604-3929

Contractor: Jonathan Clark
Company: Alamo Restoration
Business: 232 Berry Oaks Dr
Bulverde, TX 78163

Business: (210) 385-6133
E-mail: alamorestoration.llc@gmail.com

Claim Number:

Policy Number:

Type of Loss: Other

Date Contacted: 6/28/2023 3:06 PM

Date of Loss:

Date Received: 6/28/2023 3:06 PM

Date Inspected: 6/29/2023 9:00 AM

Date Entered: 6/29/2023 2:58 PM

Price List: TXSA8X_01JUN23
Restoration/Service/Remodel

Estimate: SCHERTZ_EMS_1

Alamo Restoration

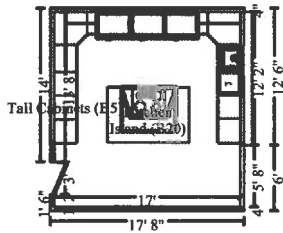
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SCHERTZ_EMS_1

SCHERTZ_EMS_1

DESCRIPTION	QTY	REMOVE	REPLACE	TAX	O&P	TOTAL
1. Tandem axle dump trailer - per load - including dump fees	0.50 EA	305.83	0.00	0.00	32.11	185.03
Total: SCHERTZ_EMS_1				0.00	32.11	185.03

EMS Kitchen



Kitchen

Height: 9'

496.92 SF Walls	303.17 SF Ceiling
800.08 SF Walls & Ceiling	303.17 SF Floor
33.69 SY Flooring	64.00 LF Floor Perimeter
69.67 LF Ceil. Perimeter	

Missing Wall - Goes to neither Floor/Ceiling 12' 2" X 6' 6" Opens into Exterior

DESCRIPTION	QTY	REMOVE	REPLACE	TAX	O&P	TOTAL
2. R&R Cabinetry - lower (base) units - High grade	28.00 LF	7.85	316.72	0.00	1,908.48	10,996.44
3. R&R Cabinetry - upper (wall) units - High grade	18.00 LF	7.85	224.58	0.00	878.58	5,062.32
4. R&R Cabinetry - full height unit - High grade	6.50 LF	9.40	396.97	0.00	554.69	3,196.10
5. Cabinet knob or pull	42.00 EA	0.00	8.74	0.00	77.09	444.17
6. Remove Countertop - flat laid plastic laminate	49.67 LF	4.50	0.00	0.00	46.94	270.46
7. Countertop - Granite or Marble - High grade	119.00 SF	0.00	83.48	0.00	2,086.16	12,020.28
8. Add on for undermount sink cutout & polish - double basin	1.00 EA	0.00	253.57	0.00	53.25	306.82
9. R&R Kitchen Sink - single basin - High grade	1.00 EA	19.59	493.58	0.00	107.76	620.93
10. Sink faucet - Kitchen - High grade	1.00 EA	0.00	395.93	0.00	83.14	479.07
11. Garbage disposer - High grade	1.00 EA	0.00	336.41	0.00	70.65	407.06
12. R&R Dishwasher - High grade	1.00 EA	27.97	1,001.20	0.00	216.13	1,245.30
13. R&R Plumbing fixture supply line	3.00 EA	5.22	22.81	0.00	17.66	101.75
14. R&R Angle stop valve	3.00 EA	5.22	39.12	0.00	27.94	160.96
15. R&R P-trap assembly - ABS (plastic)	1.00 EA	7.83	71.89	0.00	16.74	96.46
16. Refrigerator - Remove & reset	3.00 EA	0.00	52.30	0.00	32.95	189.85

Alamo Restoration

Alamo Restoration llc
232 Berry Oaks Dr.
Bulverde, TX 78163
210.401.0734 office
210.385.6133 cell

CONTINUED - Kitchen

DESCRIPTION	QTY	REMOVE	REPLACE	TAX	O&P	TOTAL
17. Range hood - stainless steel - High grade - Labor	1.00 EA	0.00	6,100.00	0.00	0.00	6,100.00
Custom Model No. Installation						
1- 5' Accurex class 1 hood with front supply plenum						
1- Acurex exhaust fan with roof curb						
1- Accurex supply fan with roof curb						
1- set SST hood closures						
All welded exhaust duct with fire wrap and banded up to 12' flex duct for supply air plenum						
Price includes delivery. NOTE: if a crane is required there will be and added cost						
Any taxes to be collected by Alamo Comfort						
All electrical and plumbing by others. All final roof sealing by others						
Fire system equipment and installation by others						
No SST wall panels required per customer.						
18. Range hood - stainless steel - High grade - Material	1.00 EA	0.00	14,482.85	0.00	0.00	14,482.85

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CONTINUED - Kitchen

DESCRIPTION	QTY	REMOVE	REPLACE	TAX	O&P	TOTAL
Hood #1 - KH-1 - Job #6339672. 4824T-ND-2-PSP-F - 4ft 0" Long Exhaust-Only Wall Canopy Hood with 16" Wide Front Perforated Supply Plenum with Built-in 3" Back Standoff - 430 SS Where Exposed x1 - Fire Cabinet on the Right Side 12.00" Width x 48.00" Length x 24.00" Height (Additional charges may apply for cabinet if not sold with fire system) x1 - FILTER - 20" tall x 20" (19.625" by 19.625") wide Stainless Steel Caprate Solo filter with hook, ETL Listed. Particulate capture efficiency: 85% efficient at 9 microns, 76% efficient at 5 microns. Used on hoods shipped AFTER 7/27/17. x2 - Recessed Round LED fixture and LED Light, 3500 K warm output. x1 - EXHAUST RISER - Factory installed 12" Diameter X 4" Height x1 - FIELD CUT, SHIP LOOSE - SUPPLY RISER - 10"x 20" Supply Riser with Volume Dampers x2 - 1/2 Pint Grease Cup New Style, Flanged Slotted x2 - Electrical Package Installation in Utility Cabinet by Plant. x1 - FIELD WRAPPER 18.00" High Front, Left, Right, Back x1 - INSULATION FOR TOP OF HOOD x1 - FINISHED BACK- ISL/REV INSTALL 48.00" Long x1 - Parts required to mount riser sensor 6 inches beside riser. Sensor installed directly in line with the center of riser and in center of the plenum space front to back Fire System #1** - FSS-1 - Job #6339672 TANK-SP-1 Tank Fire Suppression 4 gallon Fire System in Utility Cabinet (includes pre-piped hood(s) with electric detection, tank(s), 24 VDC release mechanism, fire system agent, pressurized tanks, and electric pull station). (Formerly CAS-EWC). Includes piping for hood: 1. x1 - Tank-based Fire Protection System equipped with Electronic Detection utilizing CORE board as a Listed Release Mechanism. Installed in Hood Utility Cabinet with integral hood prewire panel. x1 - Pressure Switch - Monitors Tank Pressure, Supervised Signal, TANK FIRE SUPPRESSION x1 - SC-EGVA2 GAS VALVE - up to 2" Electrical Shutoff Valve for use with HMI reset, 110V, 60Hz (#8214280). Includes upstream strainer assembly. x1 **FIRE SYSTEM HOOKUP INCLUDED - Includes: Required hardware and nozzles for field hookup, all final connections, final test, and permit fees. Hookup includes two trip charges - one for field installation and pre-test and the second for final test with local fire inspector or AHJ. Any additional trips will require change order and extra payment. If Visual/Audio alarm is required by AHJ independent of the building fire alarm, please add \$300. - Excludes: Additional state fire test(s) if required, Union Labor & Prevailing Wage, Gas valve installation, all electrical connections, and hand held fire extinguisher(s). Fan #1 DU50HTH - Exhaust Fan (KEF-1) - Job #6339672 DU50HTH High Speed Direct Drive Centrifugal Upblast Exhaust Fan with speed control (speed control included for single phase only), disconnect switch and 13-3/4" wheel. Exhaust Fan handles 1100 CFM @ -1.000" wc ESP, Fan runs at 1503 RPM. Exhaust Motor: 0.500 HP, 1 Phs, 208 V, 60 Hz, 3.8 FLA, TEAO-ECM (Totally Enclosed Air Over Electronically Commutated Motor) x1 - CAT-5E CABLE - 50 Foot. UV rated. x1 - ECM Wiring Package MODBUS Control for Exhaust EC motors. MSC Controller. **DO NOT ORDER UNDER WARRANTY, SEE PART NUMBER "CAS MSC**". x1 - HINGE KIT - Standard Hinge kit for exhaust fan roof curbs. Includes Hardware to attach hinge to curb and hinge to base. Ships Loose. Used on Fans with wheels 20 inches or smaller. 12 GA Galvanized. x1 - Gasketing - Thermeez Woven Ceramic Tape - 1/4" x 1" with adhesive back - Max Temp 1500°F. To be applied between fan base and grease duct. Installed under fan base 1/2" from the inside edge of the base to match up with the curb top flanges. x1 - Grease Cup for kitchen-duty centrifugal exhaust fans, Box Dimensions 17-1/8 L X 5-1/16 W X 3-3/4 H (20 Gauge) (Includes Down Spout) x1 Fan #2 T-A1-15D - Supply Fan (MAU-1) - Job #6339672 T-A1-15D Untempered Supply Unit with 15" Mixed Flow Direct Drive Fan in Size #1 Housing Supply Fan handl Foot Price. x50						

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CONTINUED - Kitchen

DESCRIPTION	QTY	REMOVE	REPLACE	TAX	O&P	TOTAL
19. Range hood - add on cost for ceiling mount/island hood	1.00 EA	0.00	420.44	0.00	88.29	508.73
20. Direct vent termination cap - stainless steel	1.00 EA	0.00	371.58	0.00	78.03	449.61
21. R&R Range - Commercial - 36" - gas	1.00 EA	97.88	5,495.98	0.00	1,174.72	6,768.58
22. Final cleaning - construction - Commercial	303.17 SF	0.00	0.24	0.00	15.28	88.04
Totals: Kitchen				0.00	7,534.48	63,995.78
Total: EMS Kitchen				0.00	7,534.48	63,995.78

Labor Minimums Applied

DESCRIPTION	QTY	REMOVE	REPLACE	TAX	O&P	TOTAL
23. Electrical labor minimum	1.00 EA	0.00	262.62	0.00	55.15	317.77
24. Heat, vent, & air cond. labor minimum	1.00 EA	0.00	181.29	0.00	38.07	219.36
Totals: Labor Minimums Applied				0.00	93.22	537.13
Line Item Totals: SCHERTZ_EMS_1				0.00	7,659.81	64,717.94

Grand Total Areas:

496.92 SF Walls	303.17 SF Ceiling	800.08 SF Walls and Ceiling
303.17 SF Floor	33.69 SY Flooring	64.00 LF Floor Perimeter
0.00 SF Long Wall	0.00 SF Short Wall	69.67 LF Ceil. Perimeter
303.17 Floor Area	326.83 Total Area	496.92 Interior Wall Area
593.25 Exterior Wall Area	72.33 Exterior Perimeter of Walls	
0.00 Surface Area	0.00 Number of Squares	0.00 Total Perimeter Length
0.00 Total Ridge Length	0.00 Total Hip Length	

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Summary for Dwelling

Line Item Total	57,058.13
Overhead	4,012.27
Profit	3,647.54
Replacement Cost Value	\$64,717.94
Net Claim	\$64,717.94

Phil Gradel

Alamo Restoration

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Bulverde, TX 78163
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Recap of Taxes, Overhead and Profit

	Overhead (11%)	Profit (10%)
Line Items	4,012.27	3,647.54
Total	4,012.27	3,647.54

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Recap by Room

Estimate: SCHERTZ_EMS_1	152.92	0.27%
Area: EMS Kitchen		
 Kitchen	56,461.30	98.95%
<hr/>		
 Area Subtotal: EMS Kitchen	56,461.30	98.95%
 Labor Minimums Applied	443.91	0.78%
<hr/>		
Subtotal of Areas	57,058.13	100.00%
<hr/>		
Total	57,058.13	100.00%

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Recap by Category

O&P Items	Total	%
APPLIANCES	7,410.93	11.45%
CABINETRY	26,045.68	40.24%
CLEANING	72.76	0.11%
GENERAL DEMOLITION	983.23	1.52%
ELECTRICAL	262.62	0.41%
HEAT, VENT & AIR CONDITIONING	552.87	0.85%
PLUMBING	1,147.19	1.77%
O&P Items Subtotal	36,475.28	56.36%
Non-O&P Items	Total	%
APPLIANCES	20,582.85	31.80%
Non-O&P Items Subtotal	20,582.85	31.80%
O&P Items Subtotal	36,475.28	56.36%
Overhead	4,012.27	6.20%
Profit	3,647.54	5.64%
Total	64,717.94	100.00%

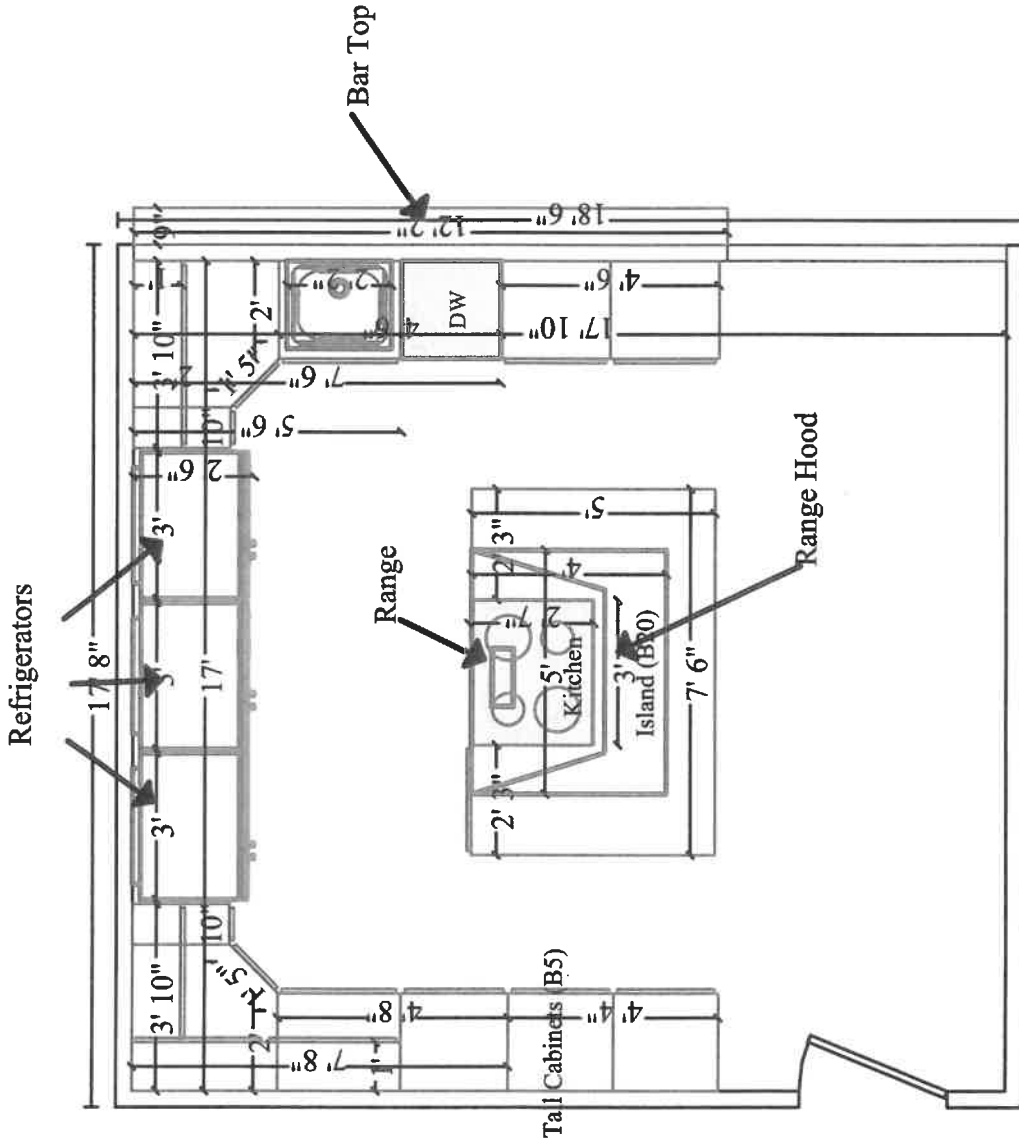


Exhibit B INSURANCE

REQUIREMENTS FOR ALL INSURANCE DOCUMENTS

The Contractor shall comply with each and every condition contained herein. The Contractor shall provide and maintain the minimum insurance coverage set forth below during the term of its agreement with the City. Any Subcontractor(s) hired by the Contractor shall maintain insurance coverage equal to that required of the Contractor. It is the responsibility of the Contractor to assure compliance with this provision. The City of Schertz accepts no responsibility arising from the conduct, or lack of conduct, of the Subcontractor.

INSTRUCTIONS FOR COMPLETION OF INSURANCE DOCUMENT

With reference to the foregoing insurance requirements, Contractor shall specifically endorse applicable insurance policies as follows:

1. The City of Schertz shall be named as an additional insured with respect to General Liability and Automobile Liability **on a separate endorsement.**
2. A waiver of subrogation in favor of The City of Schertz shall be contained in the Workers Compensation and all liability policies and must be provided **on a separate endorsement.**
3. All insurance policies shall be endorsed to the effect that The City of Schertz will receive at least thirty (30) days written notice prior to cancellation or non-renewal of the insurance.
4. All insurance policies, which name The City of Schertz as an additional insured, must be endorsed to read as primary and non-contributory coverage regardless of the application of other insurance.
5. **Chapter 1811 of the Texas Insurance Code, Senate Bill 425 82(R) of 2011, states that the above endorsements cannot be on the certificate of insurance. Separate endorsements must be provided for each of the above.**
6. All insurance policies shall be endorsed to require the insurer to immediately notify The City of Schertz of any material change in the insurance coverage.
7. All liability policies shall contain no cross liability exclusions or insured versus insured restrictions.
8. Required limits may be satisfied by any combination of primary and umbrella liability insurances.
9. Contractor may maintain reasonable and customary deductibles, subject to approval by The City of Schertz.
10. Insurance must be purchased from insurers having a minimum AmBest rating of B+.
11. All insurance must be written on forms filed with and approved by the Texas Department of Insurance. (ACORD 25 2010/05). Coverage must be written on an occurrence form.
12. Contractual Liability must be maintained covering the Contractors obligations contained in the contract. Certificates of Insurance shall be prepared and executed by the insurance company or its authorized agent and shall contain provisions representing and warranting all endorsements and insurance coverages according to requirements and instructions contained herein.
13. Upon request, Contractor shall furnish The City of Schertz with certified copies of all insurance policies.
14. A valid certificate of insurance verifying each of the coverages required above shall be issued directly to the City of Schertz within ten (10) business days after contract award and prior to starting any work by the successful Contractor's insurance agent of record or insurance company. Also, prior to the start of any work and at the same time that the Certificate of Insurance is issued and sent to the City of Schertz, all required endorsements identified in sections A, B, C and D, above shall be sent to the City of Schertz. The certificate of insurance and endorsements shall be sent to:

**City of Schertz
Purchasing Department
1400 Schertz Parkway
Schertz, TX 78154**

**emailed to: purchasing@schertz.com
Faxed to: 210-619-1169**



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
01/01/1000

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
ABC Insurance Agency
555 Main Street
Tampa, FL 33333-0000

CONTACT
PHONE: 1100
FAX: 1100
E-MAIL:
ADDRESS:

INSURED
XYZ Company
123 Apple Street
Tampa, FL 22222-0000

INSURER(A) AFFORDING COVERAGE	NAIC #
INSURER A: Insurance Carrier	00000
INSURER B: Insurance Carrier	00000
INSURER C: Insurance Carrier	00000
INSURER D: Insurance Carrier	00000
INSURER E: Insurance Carrier	00000
INSURER F: Insurance Carrier	00000

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

WEB SITE	TYPE OF INSURANCE	ADDITIONAL ENDORSEMENTS	POLICY NUMBER	POLICY PERIOD (MM/DD/YYYY) (MM/DD/YYYY)	LIMITS
F	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIM MADE <input checked="" type="checkbox"/> OCCUR	Y Y	X123450	01/01/1000 01/01/1000	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (if a structure) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMMOPT AGO \$ 1,000,000
A	GEN'L AGGREGATE LIMIT APPLIES PER: POLICY <input type="checkbox"/> CONTRACT <input type="checkbox"/> LOSS				
B	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS	Y Y	123456700	01/01/1000 01/01/1000	COVERED OPERATIONS (Per person) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
C	<input checked="" type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB	Y Y			EACH OCCURRENCE \$ AGGREGATE \$
D	<input checked="" type="checkbox"/> WORKERS COMPENSATION AND EMPLOYER'S LIABILITY <input type="checkbox"/> ANY PROPRIETORSHIP/RECURRING OFFICERS/EXCLUDED?	Y N	01234	01/01/1000 01/01/1000	<input checked="" type="checkbox"/> WORKERS COMPENSATION \$ L EACH ACCIDENT \$ 500,000 \$ L DISEASE - EACH EMPLOYEE \$ 500,000 \$ L DISEASE - POLICY LIMIT \$ 500,000
E	<input checked="" type="checkbox"/> Builder's Risk <input type="checkbox"/> Professional Services	Y Y	123456	01/01/1000 01/01/1000	100% Insurable Value, replacement cost basis \$1,000,000 each claim / \$1,000,000 aggregate

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

Effective January 1, 2012 must be compliant with Chapter 1811, Tex. Ins. Code (SD 428 enacted by Texas Legislature 02(7) session in 2011).

CERTIFICATE HOLDER
City of Schertz
1400 Schertz Parkway
Schertz, TX 78154
Attn: Purchasing Dept.

CANCELLATION
SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
AUTHORIZED REPRESENTATIVE
AUTHORIZED SIGNATURE REQUIRED HERE:

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(Instructions for completing and submitting a certificate to the City of Schertz)

Complete the certificate of insurance with the information listed below:

- A) Certificate of Insurance date
- B) Producer (Insurance Agency) Information – complete name, address, telephone information, & email address.
- C) Insured's (Insurance Policy Holder) Information – complete name & address information
- D) Insurer (name/names of insurance company) **(Remember the city requires all insurance companies to be Authorized to do business in the State of Texas be rated by A.M. Best with a rating of B+ (or better) Class VI (or higher) or otherwise be acceptable to the City if not rated by A.M. Best)
- E) NAIC # (National Association of Insurance Commissioners, a # that is assigned by the State to all insurance companies)
- F) Insurer letter represents which insurance company provides which type of coverage from D
- G) General Liability Insurance Policy – must have an (x) in box. Also, "Occurrence" type policy – must have an (x) in the box (occurrence policy preferred but claims made policy can be accepted with special approval)
- H) This section shall be filled in with "Y" for yes under Additional Insured for all coverages, except for Contractor Liability and Workers' Compensation. There shall also be a "Y" for yes under all coverages for subrogation waived.
- I) Automobile Liability Insurance – must be checked for Any Auto, All Owned Autos, Hired Autos
- J) Umbrella Coverage – must be checked in this section and by occurrence whenever it is required by written contract and in accordance with the contract value.
- K) Worker's Compensation and Employers Liability Insurance – information must be completed in this section of the certificate of insurance form (if applicable).
- L) Builder's Risk Policy – for construction projects as designated by the City of Schertz.
Professional Liability Coverage – for professional services if required by the City of Schertz.
- M) Insurance Policy #'s
- N) Insurance policy effective dates (always check for current dates)
- O) Insurance Policy limits (See Insurance Requirements Checklist)
- P) This section is to list projects, dates of projects, or location of project. Endorsements to the insurance policy(ies) must be provided separately and not in this section. The following endorsements are required by the City of Schertz.
 - (1) Adding the City of Schertz as an additional insured. The "additional insured" endorsement is not required for professional liability and workers compensation insurance; and
 - (2) Waiver of Subrogation
 - (3) Primary and Non-Contributory
 - (4) Cancellation Notice
- Q) City of Schertz's name and address information must be listed in this section
- R) Notice of cancellation, non-renewal, or material change to the insurance policy(ies) must be provided to the City of Schertz in accordance with a cancellation notice endorsement to the policy and/or per the policy provisions based on the endorsement adding the city as an additional insured. (Sec. 1811.155, Tex. Ins. Code)
- S) The certificate must be signed by the Authorized Agent in this section of the certificate form.

Exhibit C
EVIDENCE OF INSURANCE