



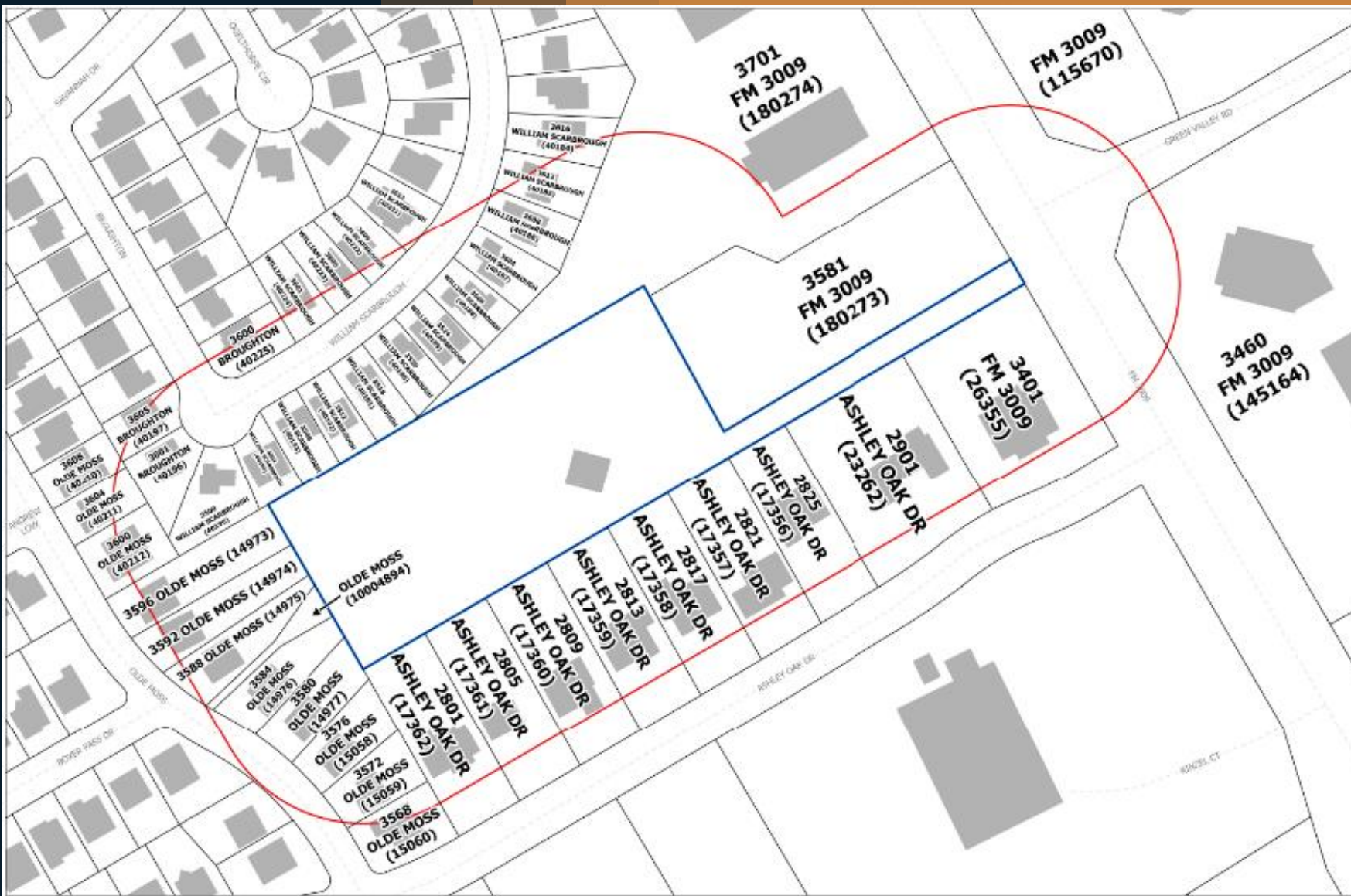
Ordinance 24-S-11

Zone Change from Single-Family Residential District (R-1) to Neighborhood Services District (NS) 3.6 acres

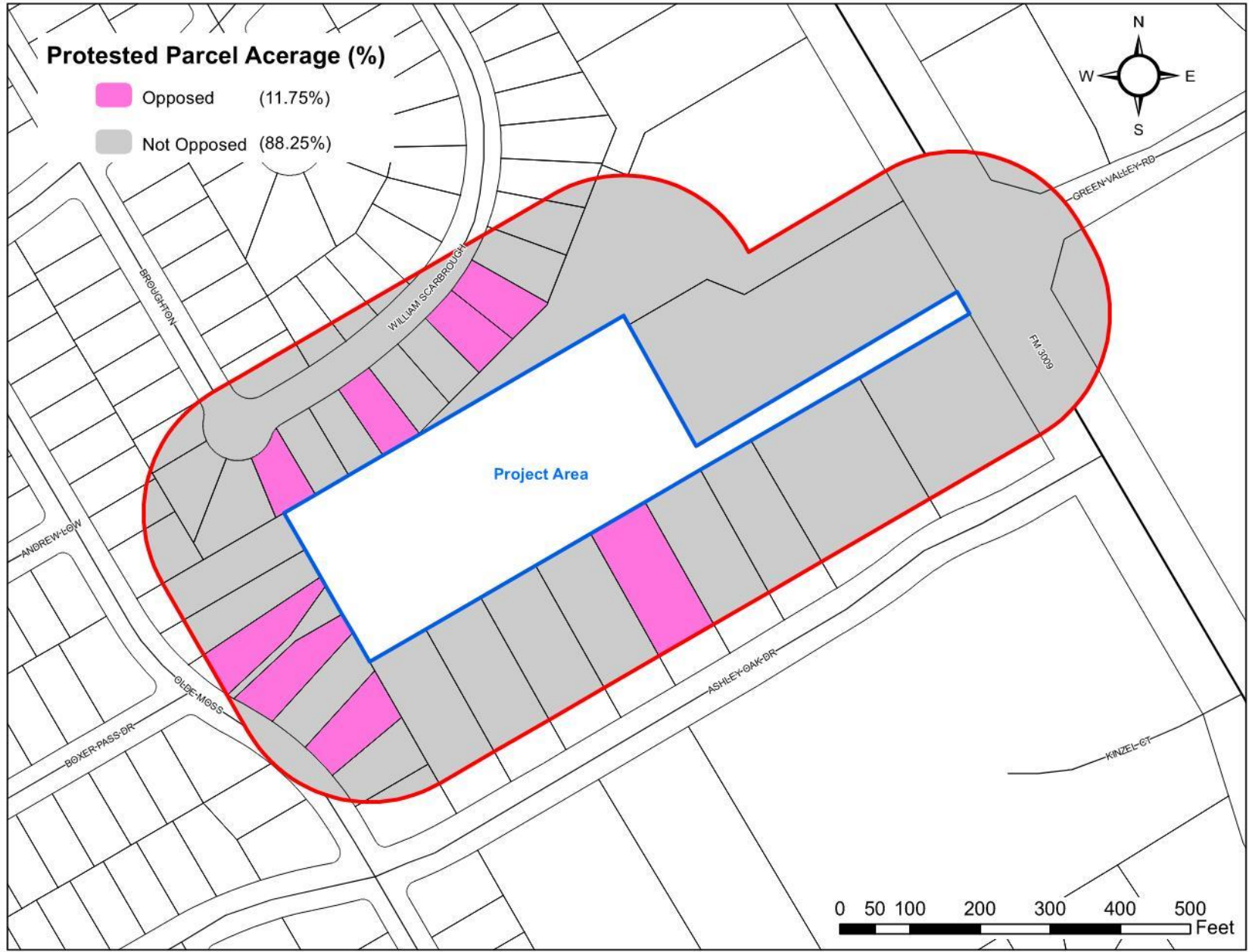
Daisy Marquez | PLANNER



	Existing Zoning	Land Use
North	Planned Development District (PDD) and Neighborhood Services District (NS)	Single Family Residential (Savannah Square) and Medical Office (Kellum Medical)
South	Neighborhood Services District (NS)	Single Family Residential and Medical Office
East	Right-of-Way	FM 3009/ Roy Richard
West	Single-Family Residential District (R-6)	Single Family Residential (Ashley Place)



- February 21, 2024 a total of 44 Public Hearing Notices were sent out.
- Responses Received as of today:
 - 9- Opposition
 - 3- In Favor
 - 1- Neutral
- 1 Sign was posted on the property.
- March 6, 2024 Planning and Zoning Commission Public Hearing



As of March 27, 2024, 12:00pm, the owners within 11.75% of the land within the City have submitted written opposition.

Only a simple majority is required for approval of the requested zone change.

27 Mar 2024 @ 10:16 am

Proposed Zone Change

- UDC Section 21.5.4 states that a Zone Change is required to establish the use of land and the development associated with the proposed zoning classification for the purpose of establishing and maintaining sound, stable, and desirable development.
- The proposed zone change to Neighborhood Services District (NS) per the letter of intent, is being requested in order to expand the Kellum Development

UDC Section 21.5.4.D Criteria for Approval

1. Whether the proposed zoning change or zoning map amendment implements the policies of the adopted Comprehensive Land Plan, including the land use classification of the property on the Future Land Use Map.

- The proposed zone change to Neighborhood Services District (NS) does implement the policies of the adopted Comprehensive Plan.
- The Comprehensive Land Use Plan designates the subject property as Single Family Residential. The Single Family land use designation is intended for a mix of residential with some commercial activities that support the daily activity of development.



Single Family Residential

UDC Section 21.5.4.D Criteria for Approval

1. (Cont.)

- The requested Neighborhood Services District (NS), is compatible with the existing and proposed Comprehensive Land Use Plan land use designations as per its statement of purpose and intent from UDC Section 21.5.6.
- The intention of Neighborhood Services District (NS) is to provide suitable areas of development of certain limited service and retail uses in proximity to residential neighborhoods in order to accommodate the basic everyday retail and service needs of nearby residents.

UDC Section 21.5.4.D Criteria for Approval

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

- As part of promoting health, safety, and welfare, the City should encourage development compatible with surrounding uses utilizing standards and transitional uses to alleviate negative impacts.
- As stated in UDC Section 21.5.6.B. Neighborhood Services District (NS) uses occur most often at the periphery of established neighborhoods at the intersection of collectors and minor arterials, and have generous landscaping and contain non-residential uses, but require appropriate buffering from residential uses.
- The subject property's access point is on FM 3009, and FM 3009 is classified as a Principal Arterial at 120'-130' of right-of-way.

UDC Section 21.5.4.D Criteria for Approval

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, the proposed permitted uses in Neighborhood Services District (NS) are meant to be near established neighborhoods and at the intersection of collectors and minor arterials.
- The subject property is located on FM 3009, which is a principal arterial, and is located on the other side of two established neighborhoods.
- The proposed development will need to meet UDC Article 9 design requirements, which will require additional screening, buffering, and increased building setback requirements adjacent to residential use and residential zoned properties.

UDC Section 21.5.4.D Criteria for Approval

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;

- The proposed development is located on FM 3009. The developer has already communicated with TXDOT and has come to the agreement that the existing signalized T intersection on FM 3009 and Green Valley Road will be modified to a full signalized intersection so that the main access point for the development is at the FM 3009 and Green Valley Road intersection.
- There is existing water and sewer for the proposed development with water being serviced from the Schertz and SSLGC dual CCN and sewer from the Schertz and CCMA dual CCN.

UDC Section 21.5.4.D Criteria for Approval

5. Whether there have been environmental and/or economical changes which warrant the requested change;

- FM 3009, also known as Roy Richard, has been developing as a corridor within the City of Schertz that provides local services and local commercial uses for residents.
- With continuing improvements on FM 3009, and increasing commercial development directly adjacent to FM 3009, the applicant's request for a zone change from Single-Family Residential District (R-2) to Neighborhood Services District (NS) is warranted to expand the existing and continuing medical office development that corresponds with what is existing on FM 3009.

UDC Section 21.5.4.D Criteria for Approval

6. Whether there is an error in the original zoning of the property for which a change is requested;

- There was no error in the original zoning of this property.

7. 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)

- This does not impact the first reading at City Council.

UDC Section 21.5.11.D Criteria for Approval

8. 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.

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

Recommendation

Staff Recommendation

- Due to the location of the proposed development on FM 3009, compatibility with the Comprehensive Land Use Plan, and the minimal adverse impact on the surrounding neighborhoods, Staff recommends approval of Ordinance 24-S-11.

Planning and Zoning Commission Recommendation

- The Planning and Zoning Commission held a public hearing on March 6, 2024 and made a recommendation for approval with a 6-0 vote.

City Council

- The Schertz City Council met on April 2, 2024 and voted to approve Ordinance 24-S-11 as presented with a 7-0 vote.

COMMENTS & QUESTIONS