

# Ordinance 24-S-142

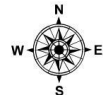
FM 1518 & Maske Road Specific Use Permit

Samuel Haas | Senior Planner

**SCHERTZ**  
COMMUNITY. SERVICE. OPPORTUNITY.



- Site: 4.33 ac
- Currently Undeveloped
- Zoning: General Business District (GB)



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Parcel ID: 64548  
(PLSPU20240012)

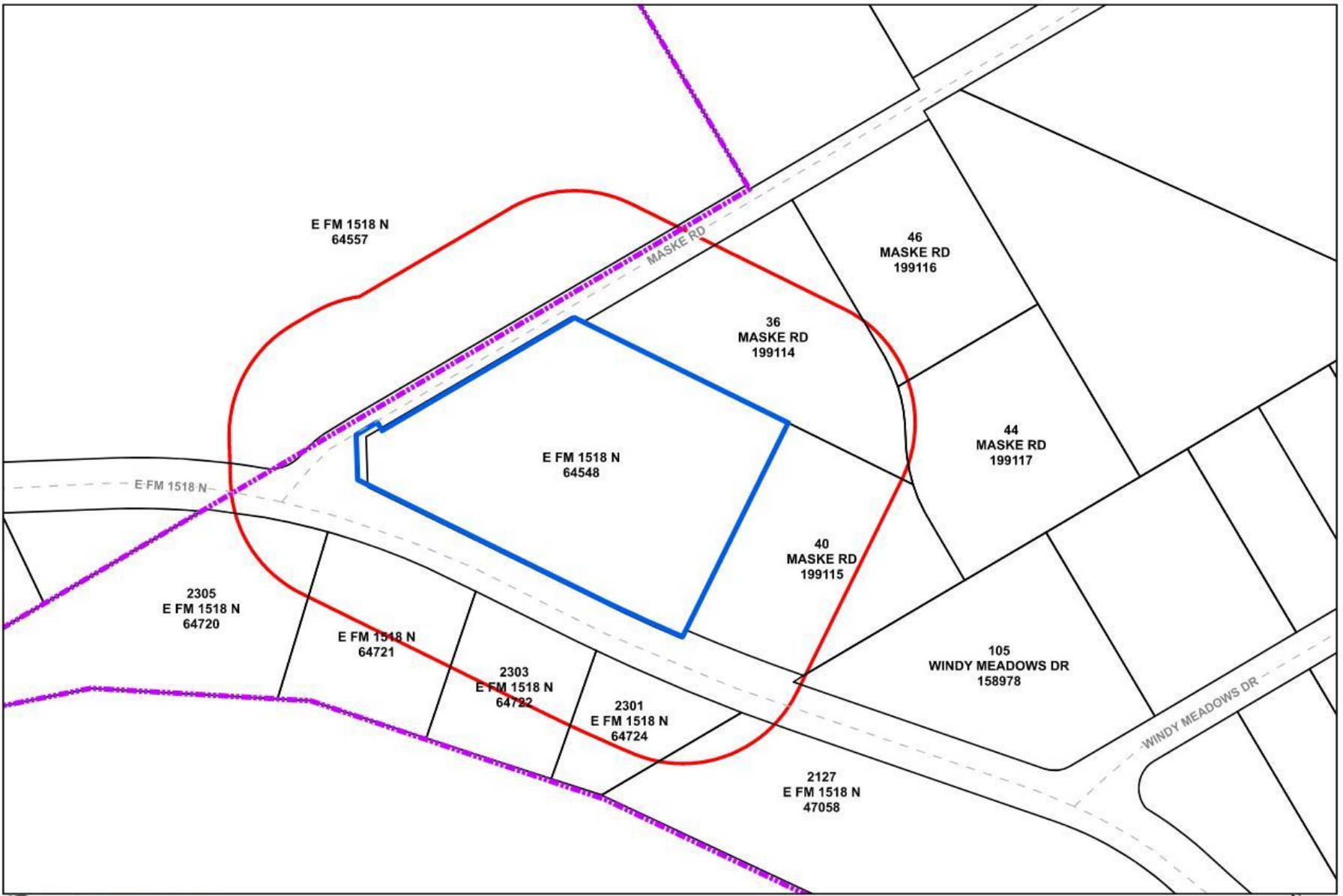
|  |   |  |  |  |   |  |   |  |
|--|---|--|--|--|---|--|---|--|
| <ul style="list-style-type: none"> <li>Highways</li> <li>Major Roads</li> <li>Minor Roads</li> </ul> | <ul style="list-style-type: none"> <li>Freeway</li> <li>Principal Arterial</li> <li>Planned Principal Arterial</li> <li>Secondary Arterial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



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|              | Existing Zoning                | Land Use                       |
|--------------|--------------------------------|--------------------------------|
| <b>North</b> | Right of Way                   | Maske Road                     |
| <b>South</b> | General Business District (GB) | Undeveloped                    |
| <b>East</b>  | General Business District (GB) | Under-Construction/Undeveloped |
| <b>West</b>  | Right of Way                   | FM 1518                        |



May, 24 2024 a total of 8 Public Hearing Notices were sent out.

Responses Received:

- 1 – Opposition,
- 3-In Favor
- 0-Neutral

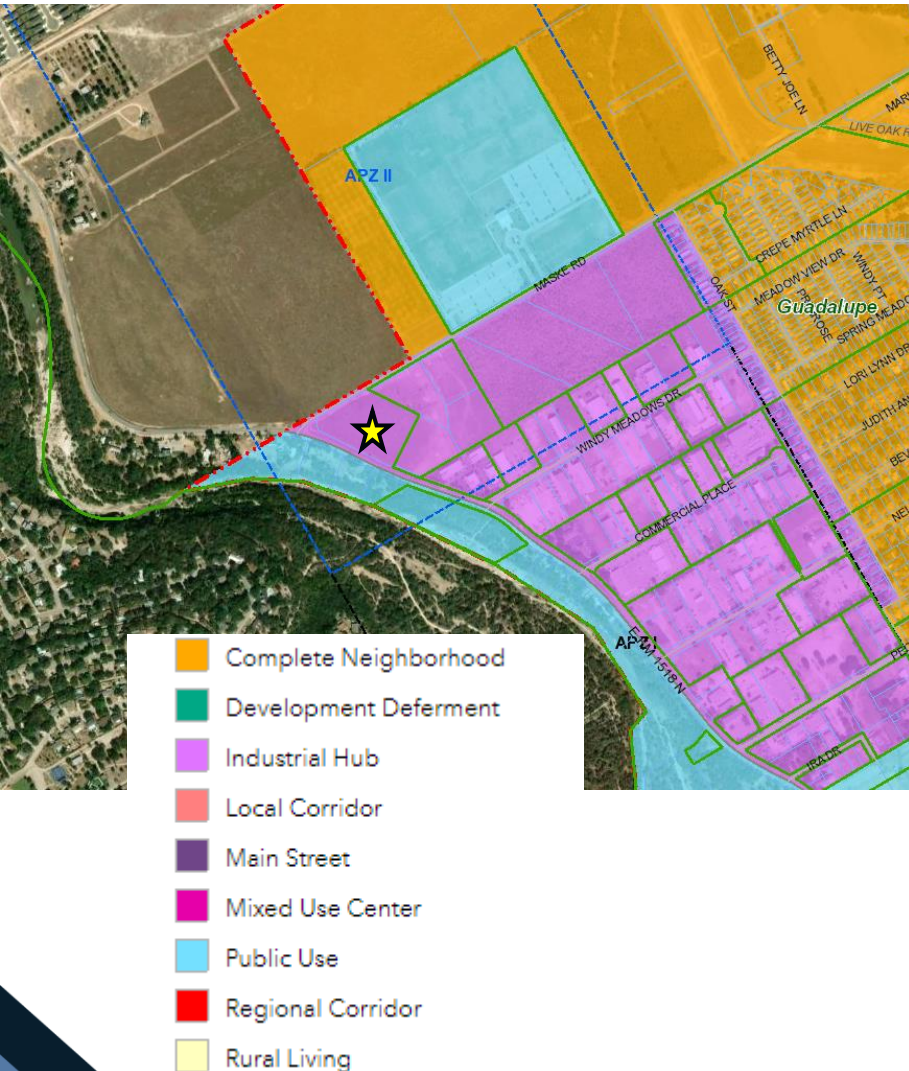
1 sign was posted on the property.

# Proposed Specific Use Permit

- Per the applicant letter of intent, the proposed development will consist of:
  - 14-pump gas station w/ 5,500 sf convenience store
  - 6,345 sf Restaurant / Drive-thru
  - 15,670 sf Retail Buildings
- As per UDC Section 21.5.8, a Specific Use Permit is required for a convenience store with gas pumps in General Business District (GB).



# UDC SECTION 21.5.11.D Criteria for Approval



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

- The Comprehensive Plan designates this property as Industrial Hub.
- While Industrial Hub is intended to be a center for manufacturing and logistics activity, complimentary commercial services, especially in the buffer areas, are appropriate transitional uses.
- For these reasons, this proposal on this particular site conforms with the Comprehensive Land Use plan

# UDC SECTION 21.5.4.D Criteria for Approval

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

- General Business District (GB) is intended to provide suitable areas for the development of non-residential uses which offer a wide variety of retail and service establishments that are generally oriented toward serving the overall needs of the entire community.
- The convenience store with gas pumps would meet the intent of the zoning district.

# UDC SECTION 21.5.4.D Criteria for Approval

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

- Adjacent to the property is a business park-style commercial development.
- Also, to the south is a large area with primarily higher-intensity commercial and some light-industrial activity.
- The property also abuts FM 1518, which is a secondary arterial. Given this, the proposed land use is compatible with the surrounding area
- The applicant will have to meet all site design standards in Article 9, which is in place to ensure adverse effects of development are minimized and mitigated on neighboring properties.

# UDC SECTION 21.5.4.D Criteria for Approval

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

- The proposed development will have two points of access on two separate roads, Maske Road and FM 1518.
- This will minimize the hazardous effect of traffic. Engineering will review a more detailed traffic impact analysis at the time of the site plan process.

# UDC SECTION 21.5.4.D Criteria for Approval

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

Engineering will review a more detailed traffic impact analysis at the time of the site plan process, and will determine what traffic mitigation methods will be required.

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

The proposed development will have to meet all site requirements in Article 9 including the screening and buffering that will be required. Article 9 is in place to ensure adverse effects are minimized and mitigated

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

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

# UDC SECTION 21.5.4.D Criteria for Approval

**8. The proposed use promotes the health, safety, or general welfare of the City and the safe, orderly, efficient and healthful development of the City;**

- As part of promoting health, safety and welfare, the City should encourage development compatible with surrounding uses utilizing standards and transitional uses to alleviate negative impacts.
- Given the existing General Business (GB) zoning of the subject property and the similar commercial zoning of adjacent properties, this development is compatible with surrounding land uses.

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

This does not impact the Planning and Zoning Commission's recommendation to City Council.

# UDC SECTION 21.5.4.D Criteria for Approval

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

- Staff has ensured all UDC requirements have been met, and at this time have not received and special considerations from the Planning and Zoning Commission or the City Council.
- JBSA has reviewed this proposal and submitted a letter of no objection to staff.
- Also, a Specific Use Permit was approved as Ord. 18-S-34 on October 23, 2018, for the same property with the same use, and has since expired. This is important to note as this proposal is similar to what has already been previously approved by City Council.

# Recommendation

Staff recommends approval of Ord. 24-S-142, the Specific Use Permit to allow a convenience store with gas pumps at the subject property, conditioned upon the following:

- A building permit is approved within two years of the adoption of the SUP Ordinance.

On June 5, 2024, the Planning and Zoning Commission recommended approval with a 6-1 vote

# COMMENTS AND QUESTIONS