

Ordinance 24-S-141

Zone Change from Pre-Development District (PRE) to Single Family Residential/
Agricultural District (R-A) | 3.6 acres

Daisy Marquez | Planner



3.6 acres

Comal PID: 78940

6691 FM 482

Existing: Residence

Existing Zoning:

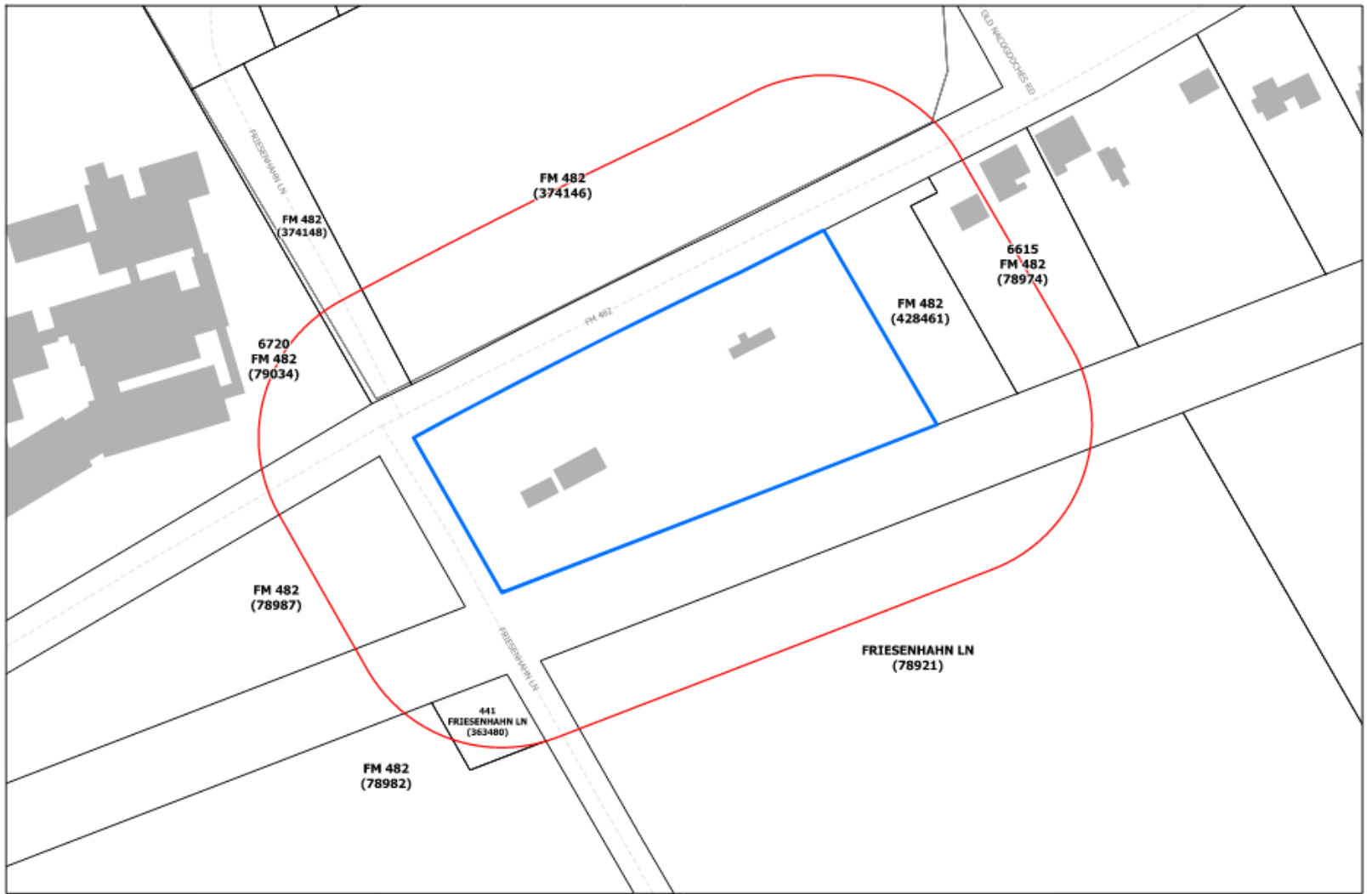
Pre-Development District (PRE)

Proposed Zoning:

Single Family Residential/ Agricultural District (R-A)



Existing Zoning		Land Use
North	Right-of-Way; Public	FM 482
South	Railroad	Railroad tracks
East	Pre-Development District (PRE)	Residence
West	Right-of-Way; Public	Friesenhahn Lane



SCHERTZ
COMMUNITY • SERVICE • OPPORTUNITY

City of Schertz

 Project Boundary

 200' Buffer

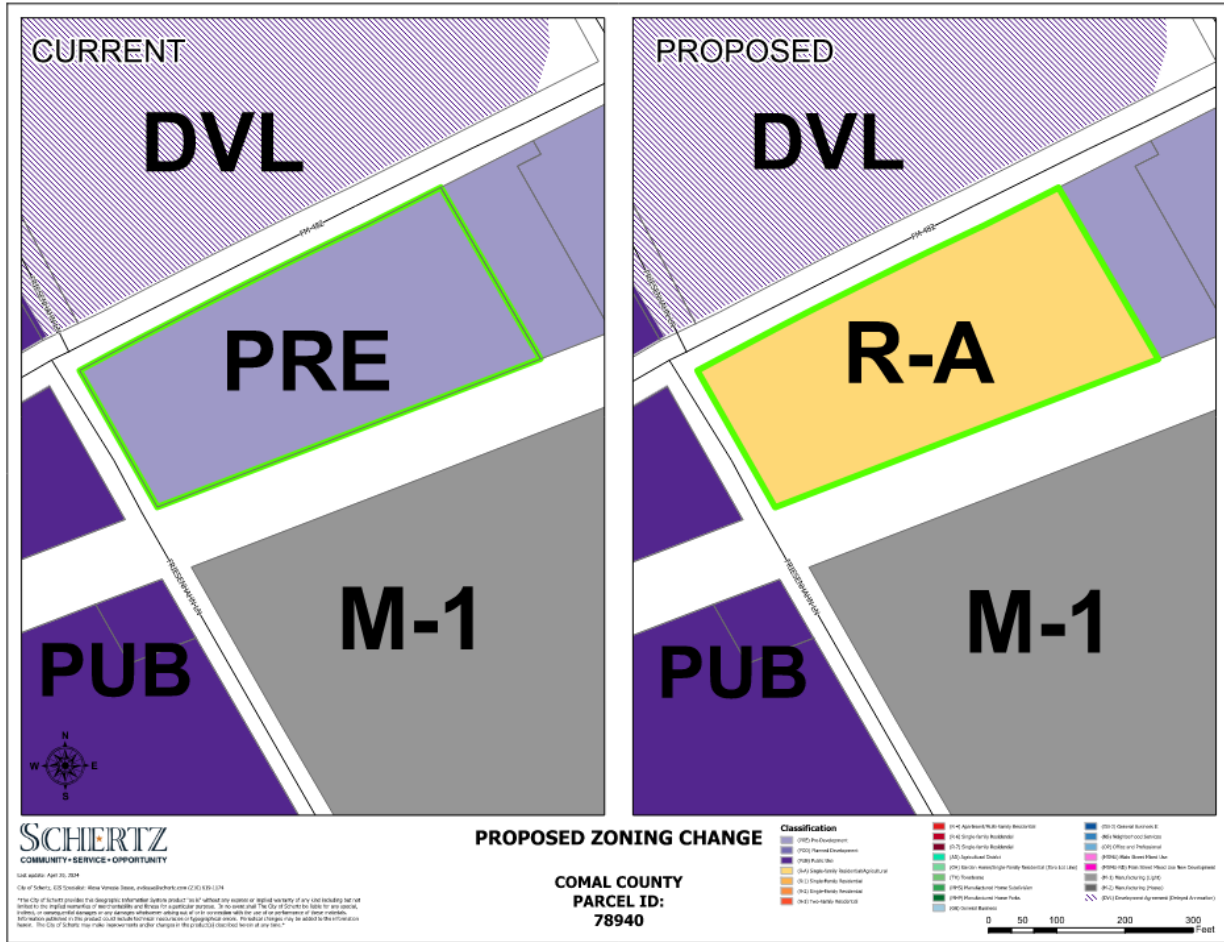
6691 FM 482
(PLZC20240098)



City of Schertz, GIS Specialist: Alexia Nevada Deane, alexia@schertz.com (281) 619-1174
The City of Schertz provides this Geographic Information System product "as is" without any express or implied warranty of any kind including but not limited to the implied warranties of merchantability and fitness for a particular purpose. In no event shall the City of Schertz be liable for any special, indirect, or consequential damages or any compensation, attorney's fee, or in connection with the use of or reliance on any of these materials. Information published on this product could include technical inaccuracies or typographical errors. Technical changes may be added to the information herein. The City of Schertz may make improvements or adjustments to this product(s) without notice at any time.

- May 20, 2024 a total of 9 Public Hearing Notices were sent out.
- Responses Received as of June 5:
0 – Opposition,
1-In Favor
0-Neutral
- 1 sign was posted on the property.
- Posted in the “San Antonio Express” on June 12, 2024.
- Planning and Zoning Commission held a public hearing on June 5, 2024

Proposed Zone Change

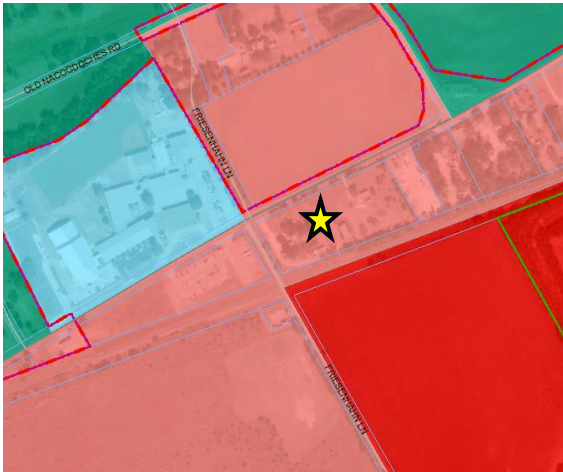


UDC Section 21.5.4 states that a Zone Change is required to establish the use of land and the development associated with the proposed zoning classification for the purpose of establishing and maintaining sound, stable, and desirable development.

The proposed zone change is for approximately 3.6 acres of land to Single-Family Residential/ Agricultural District (R-A).

UDC SECTION 21.5.4.D Criteria for Approval

1. Whether the proposed zone 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 subject property is designated as Local Corridor in the Comprehensive Land Plan - Future Land Use Map.
- Local Corridor is described as areas with locally oriented commercial and entertainment areas compatible with a mix of residential with a development ratio of 20% Residential and 80% Non-Residential development.
- Although Single-Family Residential/ Agricultural District (R-A) does not allow for commercial or entertainment uses, the subject property and immediate area consist of agricultural uses and rural residences. The property is currently a residence, no development is being proposed, and the immediate area consists of agricultural uses, thus the Single-Family Residential/ Agricultural District (R-A) being requested is appropriate in this area as there is still a lack of development that meets the Local Corridor Land Use Designation.
- Additionally, the Comprehensive Land Use Plan stipulates that a percentage of residential areas could still exist in the Local Corridor Land Use Designation. In the future, if there is a proposed zone change to a more intense zoning district, that zoning district will be evaluated based on its implementation of the policies of the adopted Comprehensive Land Use Plan and Future Land Use Map.

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.

**Table 21.5.7.A
Dimensional Requirements for Residential Zoning Districts**

Code	Zoning District	Minimum Lot Size Dimensions			Minimum Yard Setbacks				Miscellaneous Lot Requirements	
		Area Sq.Ft.	Width Ft.	Depth Ft.	Front Ft.	Side Ft.	Rear Ft.	Minimum Off-Street Parking Spaces	Max Height Ft.	Max Impervious Coverage
R-A	Single-Family Residential/ Agricultural District	21,780	-	-	25	25	25	2	35	50%

- 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. The dimensional requirements for Single-Family Residential/ Agricultural District (R-A), as listed in Table 21.5.7.A of the UDC, are compatible within the immediate area of the subject property. The subject property is approximately 3.6 acres and surpasses the minimum square footage required in the Single-Family Residential/ Agricultural District (R-A).
- The existing Pre-Development District (PRE) zoning, as per UDC Section 21.5.5, is only intended as a temporary designation for existing uses for newly annexed property, but no improvements, construction, or structures may be undertaken without obtaining a building permit. A building permit cannot be pulled without the proper zoning. The proposed zone change to Single-Family Residential/ Agricultural District (R-A), would allow the applicant to pull building permits to ensure safe and orderly development.

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 uses permitted in Single-Family Residential/ Agricultural District (R-A) are appropriate in the immediate area of the land to be reclassified. The purpose and intent of the Single-Family Residential/ Agricultural District (R-A) is to provide areas in which agricultural land may be held in such use for as long as is practical and reasonable, with minimum half-acre lots, and where development may be premature due to lack of utilities, capacity or services, as per UDC Section 21.5.5.

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 subject property utilizes an on-site septic system and is in the Green Valley CCN for water. FM 482 is a TXDOT road that is only two lanes, with one lane in each direction. Per the Master Thoroughfare Plan, FM 482 is identified as a principal arterial with a planned 120'-130' right-of-way width. In the current Master Thoroughfare Plan, Friesenhahn Lane is identified as a Commercial Collector A, with a proposed final 70-foot right-of-way width. Although no development is being proposed at this time, any proposed improvements or access points will need to be reviewed by the Texas Department of Transportation and the City of Schertz Engineering Department.
- A public hearing notice was mailed to Comal Independent School District to notify them of the proposed zone change.

UDC SECTION 21.5.4.D Criteria for Approval

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

No, there are no environmental or economic changes that warrant the requested zone change. The subject property was annexed into the City of Schertz in 2010 with Ordinance 10-A-19. The subject property currently has the Pre-Development District (PRE) zoning designation, which was meant to be a temporary designation for properties annexed into the City of Schertz as per UDC Section 21.5.5.A.

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

No, there was no error in the original zoning of the subject property.

7. Whether all of the applicant's back taxes owed to the City have been paid in full;

All back taxes owed have been paid in full.

UDC SECTION 21.5.4.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 consideration from the Planning and Zoning Commission or the City Council.

Recommendation

Staff Recommendation

The proposed zone change to Single-Family Residential/ Agricultural District (R-A) is appropriate within the immediate area, thus Staff recommends approval of Ordinance 24-S-141.

Planning and Zoning Commission

The Planning and Zoning Commission met on June 5, 2024, and made a recommendation of approval with a unanimous vote.

City Council

City Council met on July 2, 2024, and approved Ordinance 24-S-141 with a unanimous vote.

COMMENTS AND QUESTIONS