

Ordinance 24-S-148

Zone Change from Agricultural District (AD) and Single Family Residential/ Agricultural District (R-A) to Single-Family Residential District (R-2) and Single-Family Residential

District(R-6) | 71 acres

Daisy Marquez | Planner



71 Acres

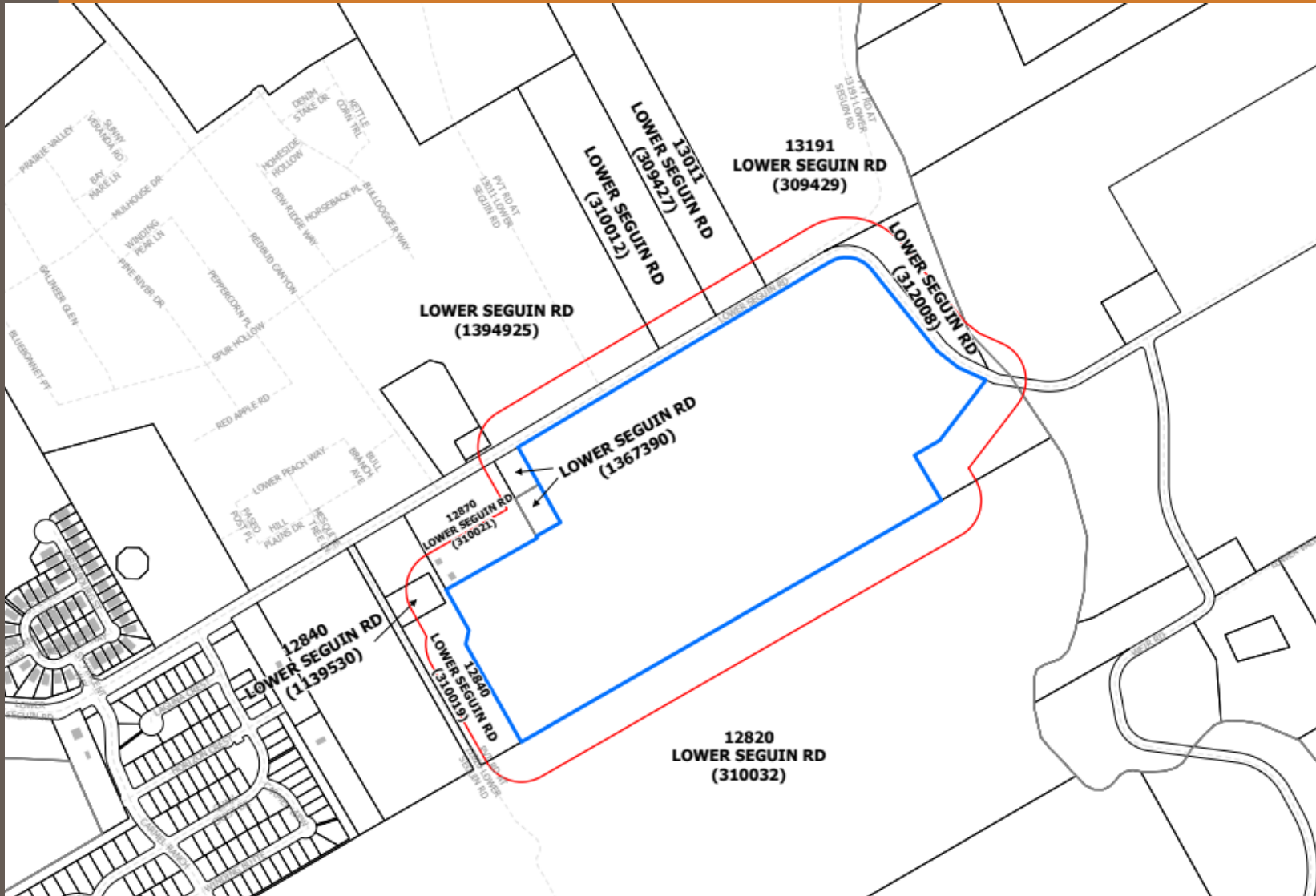
Bexar PID:310022

12840 Lower Seguin Road

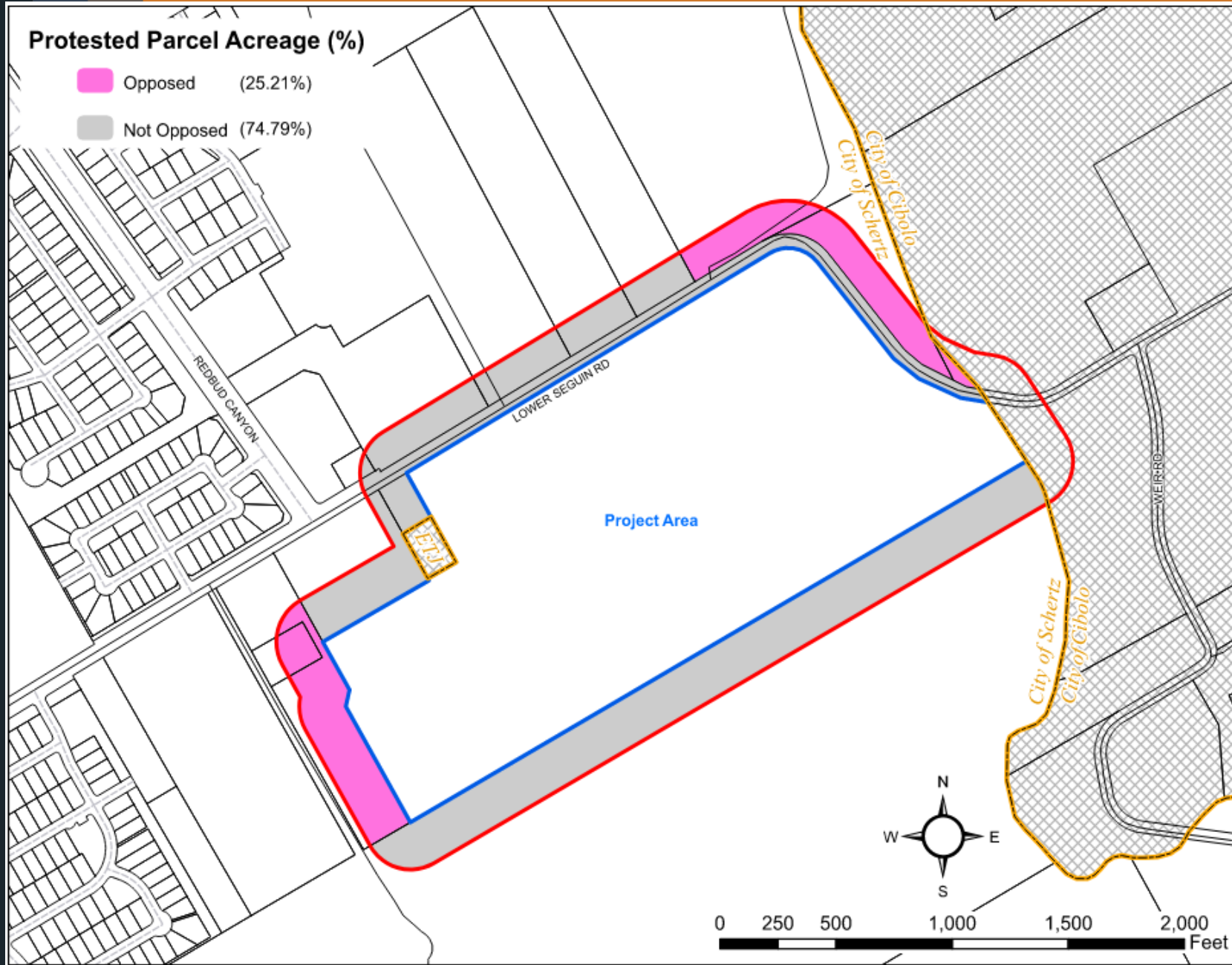
Existing: Undeveloped



	Existing Zoning	Land Use
Subject Property	Single-Family Residential / Agricultural District (R-A) and Agricultural District (AD)	Undeveloped
North	Right-of-Way	Lower Seguin Road
South	Agricultural District (AD)	Residential
East	Right-of-Way, Single-Family Residential/ Agricultural District (R-A), Agricultural District (AD), and City of Cibolo	Lower Seguin Road; Residential and Agriculture; City of Cibolo
West	Single-Family Residential/ Agricultural District (R-A), Agricultural District (AD), and City of Schertz ETJ	Residential and Undeveloped

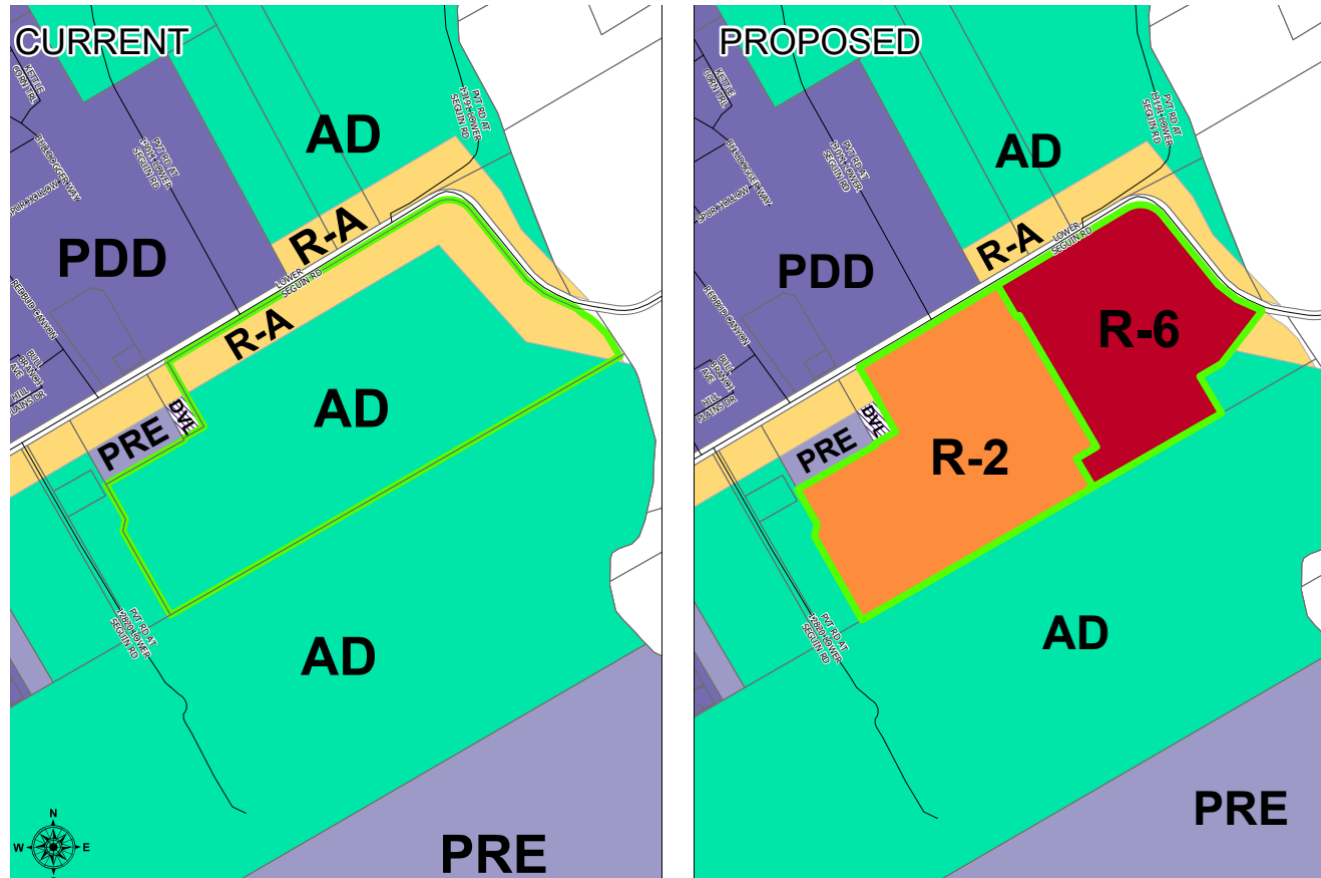


- On July 22, 2024, a total of 13 Public Hearing Notices were sent out.
- Responses Received as of August 7:
 - 4 – Opposition,
 - 0-In Favor
 - 0-Neutral
- 1 sign was posted on the property.
- Posted in “San Antonio Express” on August 14



If a proposed zone change is protested in writing and signed by the owners of at least twenty percent (20%) of the area of the lots or land immediately adjoining the area covered by the proposed zone change and extending 200 feet from that area, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths ($\frac{3}{4}$) of all members of the City Council according to LGC, Local Government Code § 211.006(d).

Proposed Zone Change

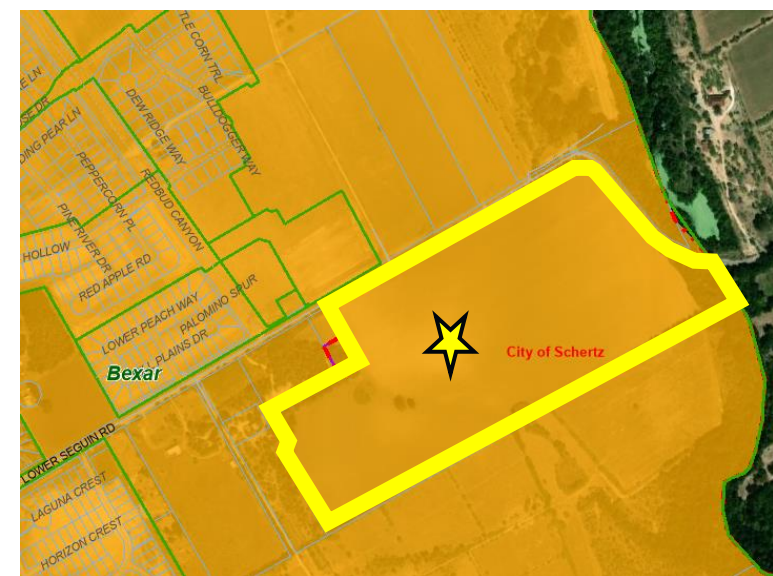









- UDC Section 21.5.4 states that a Zone Change is required to establish the use of land and the development associated with the proposed zoning classification for the purpose of establishing and maintaining sound, stable, and desirable development.
- The proposed zone change is for approximately 71 acres of land from Single-Family Residential/ Agricultural District (R-A) and Agricultural District (AD) to approximately 41 acres as Single-Family Residential District (R-2) and approximately 30 acres as Single-Family Residential District (R-6).

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.

- Yes, the proposed Single-Family Residential District (R-6) and Single-Family Residential (R-2) implement the policies of the adopted Comprehensive Land Use Plan- Future Land Use Map. The subject property is designated as Complete Neighborhood in the Future Land Use Map.
- Complete Neighborhoods are general areas characterized by a mixture of housing options with supporting land uses.
- The proposed Single-Family Residential District (R-6) and Single-Family Residential District (R-2) will provide a mixture of housing options within a proposed residential development, which meets the intent of the Complete Neighborhood Land Use Designation.



 Regional Corridor	 Local Corridor
 Mixed Use Center	 Development Deferment
 Rural Living	 Industrial
 Complete Neighborhood	 Public Use

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.
- The proposed Single-Family Residential District (R-6) and Single-Family Residential District (R-2) dimensional and development standards as stated in UDC Section 21.5.7.A of the Unified Development Code, are compatible with what is immediately in the surrounding area.

**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 Requirements
R-2	Single-Family Residential District	8,400	70	120	25	10	20	2	35	50%
R-6	Single-Family Residential District	7,200	60	120	25	10	20	2	35	50%

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 the Single-Family Residential District (R-6) and Single-Family Residential District (R-2) are appropriate in the immediate area of the land to be reclassified.
- The purpose and intent of the Single-Family Residential District (R-6) is to allow for residential lots with a minimum lot size of 7,200 square feet with schools, churches, and parks necessary to create basic neighborhood units.
- The purpose and intent of Single-Family Residential District (R-2) is to allow for single-family detached residential with a minimum lot size of 8,400 square feet with schools, churches, and parks necessary to create basic neighborhood units.

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 City of Schertz is the water and sewer provider for the subject property. Lower Seguin Road is identified as a Secondary Arterial with 90 feet of Right-of-Way in the Master Thoroughfare Plan. There is a Principal Arterial with 120-130 feet of Right-Of-Way on the western portion of the subject property.
- The subject property is not platted.
- The City of Schertz Engineering Department will review all proposed access points onto Lower Seguin Road during the platting process.
- A public hearing notice was mailed to Schertz-Cibolo-Universal City Independent School District to notify them of the proposed zone change. Included as attachments are the most recent Demographic Report for SCUCISD as well as the most recent 10-Year Campus Forecasting Presentation.
- The City of Schertz Police, Fire and EMS Departments have indicated they do not have any concerns regarding the proposed rezoning requests or their ability to provide services.

UDC SECTION 21.5.4.D Criteria for Approval

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

The subject property was annexed to the City of Schertz in July 2024 and was given Agricultural District (AD) zoning with annexation. The applicant was waiting for the annexation to start their proposed zone change request. Significant changes are happening to Lower Seguin Road with new residential developments that are concurrent with the FM 1518 construction.

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

There was no error in the original zoning of the subject property. The subject property was given the Agricultural District (AD) zoning with its annexation in July 2024.

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

This does not impact the first hearing at City Council.

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

Due to the compatibility with the surrounding area, and implementation of the policies in the Comprehensive Land Use Plan and Future Land Use Map, Staff recommends approval of Ordinance 24-S-148.

Planning and Zoning Commission

The Planning and Zoning Commission met on Wednesday, August 7, 2024, held a public hearing for Ordinance 24-S-148, and made a recommendation of approval with a 7-0 vote.

COMMENTS AND QUESTIONS