

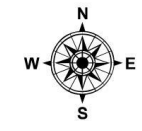
Ord. 24-S-147

Specific Use Permit to allow a convenience store with gas pumps located at the intersection of Schaefer Road and FM 1518

Samuel Haas | SENIOR PLANNER



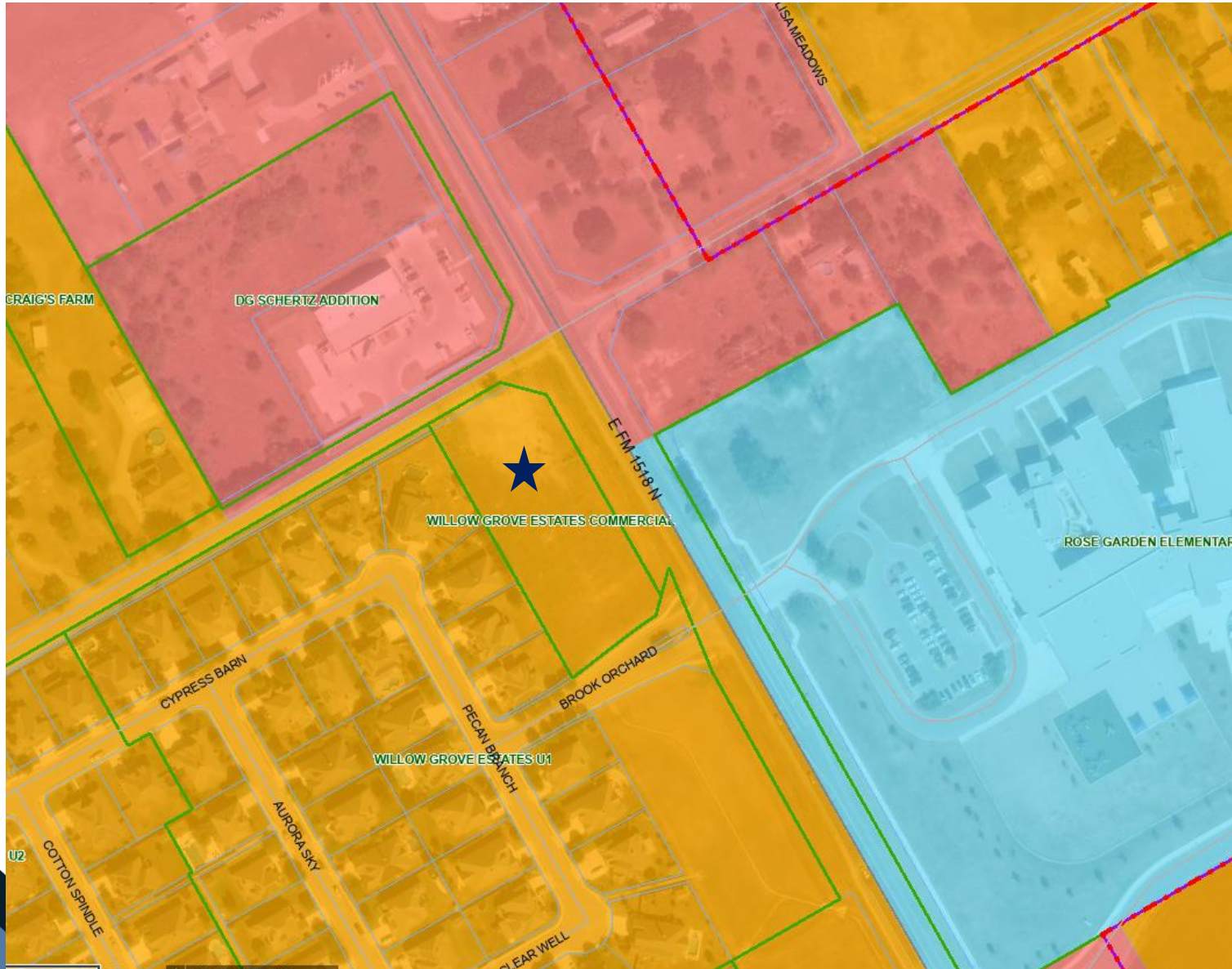
- July 26: 18 public hearing notices mailed
- Responses Received:
 - 24- Opposed
 - 0 - In Favor
 - Petition was also submitted with signatures
- 1 Sign was posted
- Notice was published in the SA Express on August 28, 2024



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.
 - Designated as Complete Neighborhood.
 - Variety of housing types with limited commercial.
 - The commercial provision is consistent with the proposed Specific Use Permit.

UDC SECTION 21.5.11.D Criteria for Approval



- Complete Neighborhood
- Development Deferment
- Industrial Hub
- Local Corridor
- Main Street
- Mixed Use Center
- Public Use

UDC SECTION 21.5.11.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 proposed strip center with gas pumps would meet the intent of the zoning district**

UDC SECTION 21.5.11.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

- **Compatible with the character and integrity of the neighborhood.**
 - **Adjacent commercial developments**
 - **Neighboring commercial zoning districts**
 - **Property abutting FM 1518**



- (PRE) Pre-Development
- (PDD) Planned Development
- (PUB) Public Use
- (R-A) Single-family Residential/Agricultural
- (R-1) Single-Family Residential
- (R-2) Single-Family Residential
- (R-3) Two-Family Residential
- (R-4) Apartment/Multi-Family Residential
- (R-6) Single-family Residential
- (R-7) Single-family Residential
- (GH) Garden Home (Zero Lot Line)
- (TH) Townhome
- (MHS) Manufactured Home Subdivision
- (MHP) Manufactured Home Parks
- (AD) Agricultural District
- (GB) General Business
- (GB-2) General Business II
- (NS) Neighborhood Services
- (OP) Office and Professional
- (MSMU) Main Street Mixed Use
- (MSMU-ND) Main Street Mixed Use New Development
- (M-1) Manufacturing (Light)
- (M-2) Manufacturing (Heavy)

UDC SECTION 21.5.11.D Criteria for Approval

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

- **The property abuts three separate rights of way to help minimize conflict with existing traffic.**
 - Schaefer Road
 - Brook Orchard
 - FM 1518
- **Engineering will review a more detailed traffic impact analysis at the time of the site plan process.**

UDC SECTION 21.5.11.D Criteria for Approval

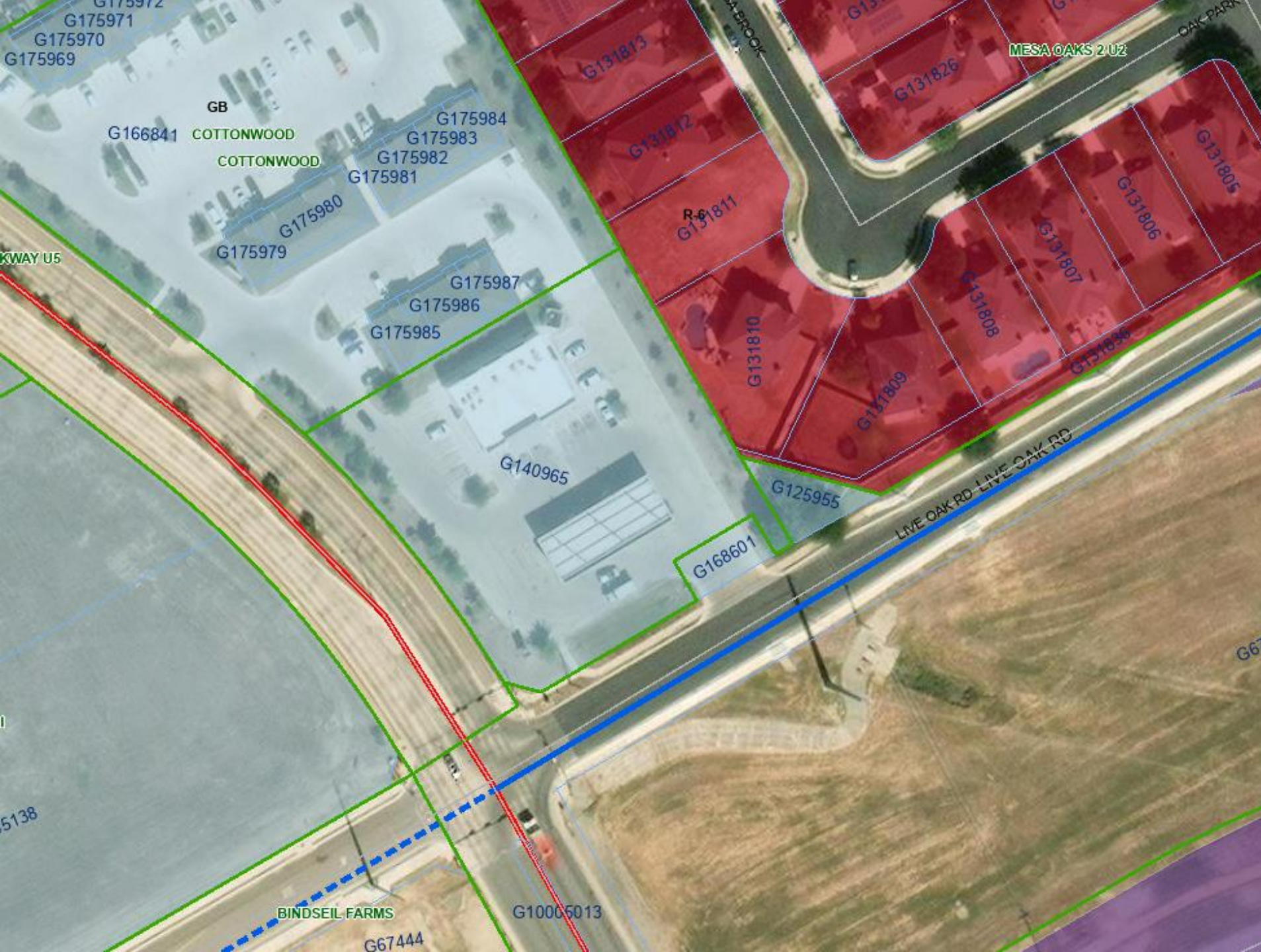
5. The proposed use incorporates roadway adjustments, traffic control devices or mechanisms, and access restrictions to control traffic flow or divert traffic as may be needed to reduce or eliminate development generated traffic on neighborhood streets

- The applicant has not provided anything demonstrating roadway adjustments.**
- Engineering Department 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.**

UDC SECTION 21.5.11.D Criteria for Approval

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 to ensure adverse effects are minimized and mitigated.**
- **Requirements include but are not limited to:**
 - **8 – foot masonry wall**
 - **20 – foot landscape buffer**
 - **Lighting setback equal to height**
 - **Light sources must be concealed from residential properties.**





UDC SECTION 21.5.11.D Criteria for Approval

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 as stipulated in UDC Section 21.5.7.**
- **No variations to the requirements have been requested.**

UDC SECTION 21.5.11.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.**



8. Continued....

- The existing General Business zoning of the subject property and adjacent properties indicates commercial intention for this area.
- The proposed use is compatible with the surrounding area.
- The proposed development would provide a transitional use by acting as a buffer for the residential portions.
- Schertz Fire, EMS, and Police Departments were notified of the Specific Use Permit request and have provided no objections.

UDC SECTION 21.5.11.D Criteria for Approval

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

- **To the best of staff's knowledge, no back taxes are owed**
- **This does not impact City Council's Decision**

UDC SECTION 21.5.11.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 have ensured all UDC requirements have been met, and at this time have not received any special considerations from City Council.**

Staff Recommendation

Staff recommends approval of Ord. 24-S-147, conditioned upon the following:

- A building permit is approved within two years of the adoption of the SUP Ordinance.
- On August 7, 2024, the Planning and Zoning Commission recommended denial with a 6-1 vote.

COMMENTS AND QUESTIONS