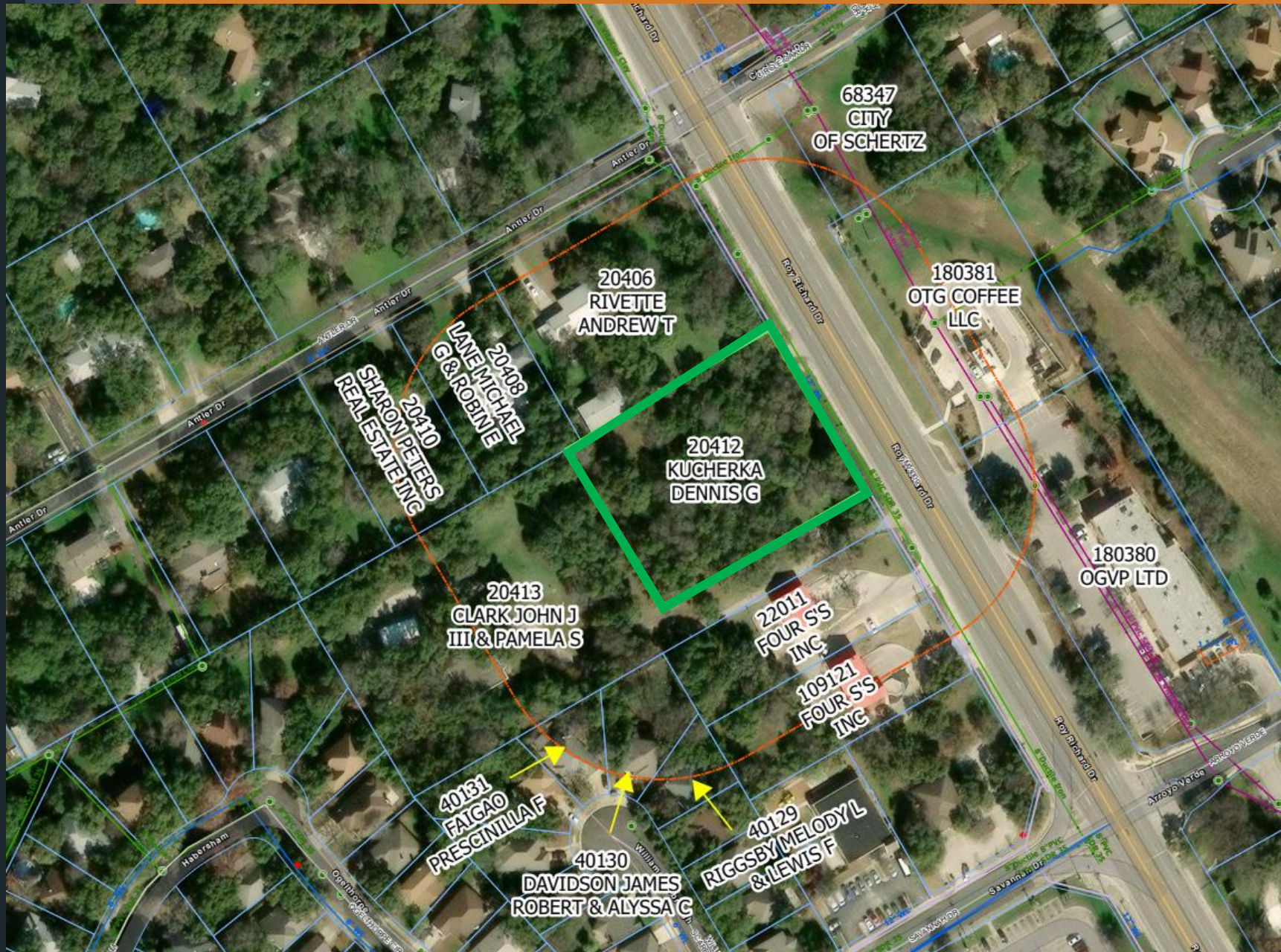


Ordinance 24-S-161

Approximately 1.4 acre zone change from Office and Professional District (OP) to
Neighborhood Services District (NS)

Daisy Marquez | Planner



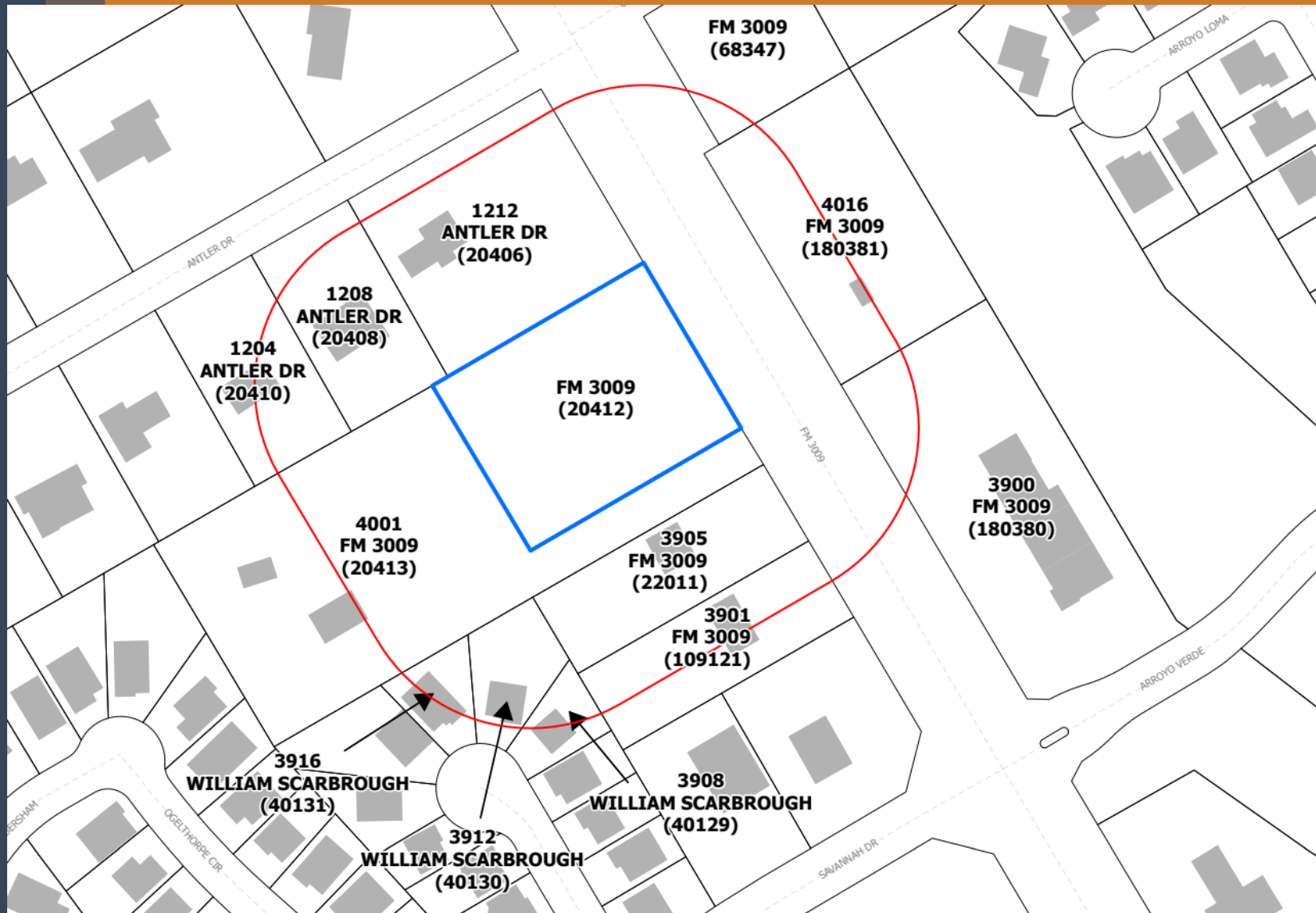
1.4 Acres

Guadalupe County ID: 20412

Existing: Undeveloped



	Existing Zoning	Land Use
Subject Property	Office Professional District (OP)	Undeveloped
North	Single-Family Residential District (R-1)	Single-Family Residence
South	Single-Family Residential District (R-1)	Single-Family Residence
East	Right-of-Way	FM 3009
West	Single-Family Residential District (R-1)	Single-Family Residence



- On September 17, 2024, a total of 12 Public Hearing Notices were sent out.
- Responses received as of October 29:
 - 0- Opposition,
 - 1-In Favor
 - 0-Neutral
- 1 sign was posted on the property.
- Posted in the “San Antonio Express” on 10.23.24

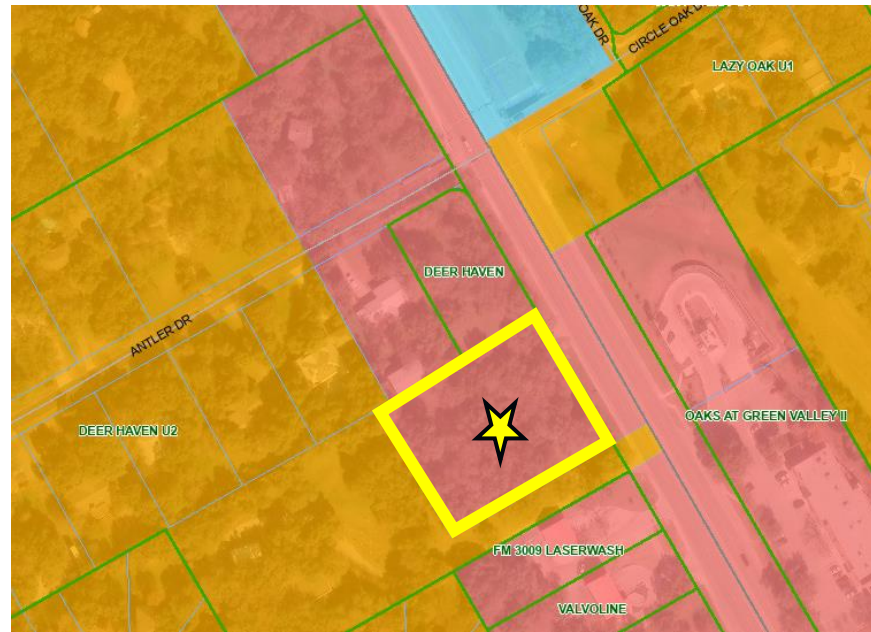
Previous Application

- The applicant has previously applied for a proposed zone change from Office Professional District (OP) to Neighborhood Services District (NS), at the subject property, and the Planning and Zoning Commission held a public hearing in May 2024.
- The Planning and Zoning Commission made a recommendation for denial with a 5-1 vote to City Council.
- The applicant withdrew the application before it could be heard at City Council.

UDC SECTION 21.5.4.D Criteria for Approval

1. Whether the proposed zoning change implements the policies of the adopted Comprehensive Land Plan, or any other applicable adopted plans;

- *The proposed Neighborhood Services District (NS) is not inherently incompatible with the policies of the adopted Comprehensive Land Plan. The Comprehensive Land Plan designates the subject property as Local Corridor.*
- The Local Corridor land use designation is meant to contain conventional retail centers, small scale mixed-use, multifamily development, and residential uses that are of scale and intensity compatible with the surrounding neighborhoods.
- Although the proposed Neighborhood Services District (NS) and existing Office and Professional District (OP) do meet the intent of the Local Corridor Land Use Designation, the surrounding subject property zoning designations make the proposed land uses allowed by right in Neighborhood Services District (NS) incompatible.



UDC SECTION 21.5.4.D Criteria for Approval

1. Continued.



- To the north, west, and south of the subject property, the properties are Single-Family Residential District (R1) and are used for single-family residences.
- To the east of the property is FM 3009 Right-of-Way, and is the subject property's only access point.
- Although the subject property is located on FM 3009, and has access to FM 3009, the subject property is surrounded by residential zoned properties that are used for single-family homes.
- As a result of the subject property being nestled within single-family residences, the proposed zone change to Neighborhood Services District (NS) is not compatible.

UDC SECTION 21.5.4.D Criteria for Approval

2. Whether the proposed zoning promotes the health, safety, and general welfare 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 Neighborhood Services District (NS) dimensional and development standards as stated in Section 21.5.7.B of the Unified Development Code, are not compatible with what is in the immediately surrounding area.

**Table 21.5.7.B
Dimensional Requirements Non-Residential Zoning Districts**

Code	Zoning Districts	Minimum Lot Size Dimensions			Minimum Yard Setback (Ft)				Minimum yard Setback (Ft)	Miscellaneous Requirements	
		Area Sq. Ft.	Width Ft.	Depth Ft.	Front Ft.	Rear Adj. Non-Res Zone	Rear Adj. Res Zone	Side Adj. Non-Res Zone	Side Adj to Res Zone	Max Height Ft.	Maximum Impervious Coverage
NS	Neighborhood Services	10,000	100	100	25	0	25	0	25	35	80%

UDC SECTION 21.5.4.D Criteria for Approval

2. Continued.

- The existing Office Professional District (OP) is more compatible with the immediate surrounding area as it is the least intense commercial zoning district.
- As per UDC Section 21.5.6, the purpose and intent of the Office Professional District (OP) is to provide ancillary retail services which may include restaurants, coffee shops, and newsstands for office developments.
- Although the proposed Neighborhood Services District (NS) is intended to provide suitable areas for development of certain limited service and retail uses in proximity to residential uses, it is also intended to be properly buffered from residential uses as per UDC Section 21.5.6.
- The location of the subject property is surrounded by single-family residences.



UDC SECTION 21.5.4.D Criteria for Approval

2. Continued.

- The City of Schertz Police, Fire and EMS Departments have reviewed the proposed zone change.
 - The Police Department expressed concerns in relation to the potential number of vehicles within the automated car wash in relation to stacking on site and potential traffic flow issues including overflow onto FM 3009.
 - The applicant did not submit a conceptual or proposed site plan with their zone change application submittal.



UDC SECTION 21.5.4.D Criteria for Approval

3. Whether the uses permitted by the proposed zone change will be consistent and appropriate

with existing uses in the immediate area;



- The subject property is surrounded by Single-Family Residential (R-1) properties that are used for single-family residences.
- Although the subject property has access to FM 3009, it is not immediately adjacent to other Neighborhood Services District (NS) properties or properties that are already used for commercial purposes.

UDC SECTION 21.5.4.D Criteria for Approval



3. Continued.

- **Neighborhood Services District (NS)** allows uses by right that include alcohol package sales, antique shop, appliances, furniture and home furnishings store, bakery, bookstore, car wash (automated), civic/convention center, convenience store, daycare center, dry cleaning (minor), family or group home, florist, museum, packaging/ mail store, pharmacy, restaurant with a drive in, and retail stores and shops.
- **Office Professional District (OP)** restricts permitted uses by right to art gallery, museum, library, banks, beauty salon/ barber shops, places of worship, government facilities, gymnastics/dance studios, health/fitness center, hospital, hotel, medical or dental clinic, schools, municipal uses, post office, print shop (minor), private club, recycling collection point, and restaurants.
- **Many of the allowed uses in Neighborhood Services District (NS) are not appropriate in the immediate area of the land to be reclassified. The existing Office Professional District (OP) and permitted uses are more appropriate in the immediate area of the land to be reclassified.**

UDC SECTION 21.5.4.D Criteria for Approval

4. Whether other factors 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.
- FM 3009 is a TXDOT Road and is classified as a Principal Arterial with a planned 120'-130' Right-Of-Way width. The subject property has an existing curb cut on FM 3009, but any proposed driveways will need to be reviewed by the City of Schertz Engineering Department and the Texas Department of Transportation.



UDC Article 9 requires additional screening between residential and commercial uses, which requires a solid 8-foot masonry wall with a 20-foot landscape buffer and one (1) tree every thirty (30) linear feet.

Although these additional site design requirements are in place to create additional buffering between the single-family homes and commercial uses, there are concerns over the uses allowed within the proposed Neighborhood Services District (NS) that are not compatible with the surrounding area.

Recommendation

Staff Recommendation

Due to the incompatibility of the proposed Neighborhood Services District (NS) within an enclave of Single-Family Residential District (R-1) properties, Staff recommends denial of Ord. 24-S-161.

Planning and Zoning Commission

The Planning and Zoning Commission met on October 2, 2024, and made a recommendation of approval with a 5-2 vote.

COMMENTS AND QUESTIONS