



MEETING AGENDA
City Council
REGULAR SESSION CITY COUNCIL
December 3, 2024
6:00 P.M.

HAL BALDWIN MUNICIPAL COMPLEX COUNCIL CHAMBERS
1400 SCHERTZ PARKWAY BUILDING #4
SCHERTZ, TEXAS 78154

CITY OF SCHERTZ CORE VALUES
Do the right thing
Do the best you can
Treat others the way you want to be treated
Work cooperatively as a team

AGENDA
TUESDAY, DECEMBER 3, 2024 at 6:00 p.m.

Call to Order

Opening Prayer and Pledges of Allegiance to the Flags of the United States and State of Texas.
(Councilmember Macaluso)

Employee Introduction

- **Parks:** Melanie Santiago-Administrative Assistant
- **Police:** Christopher Brusich-Police Officer, Joshua Dorantes-Police Officer
- **Public Works:** Krystopher Rojas-Industrial Electrician

Presentations

Presentation on the upcoming Holiday event on Saturday December 7, 2024.
(S.Gonzalez/L.Shrum/C.Paddock)

Presentation of TRAPS 2024 Central Region Awards to the Schertz Parks & Recreation Department. (S.Gonzalez/L.Shrum)

City Events and Announcements

- Announcements of upcoming City Events (B.James/S.Gonzalez)
- Announcements and recognitions by the City Manager (S.Williams)
- Announcements and recognitions by the Mayor (R.Gutierrez)

Hearing of Residents

This time is set aside for any person who wishes to address the City Council. Each person should fill out the speaker's register prior to the meeting. Presentations should be limited to no more than 3 minutes.

All remarks shall be addressed to the Council as a body, and not to any individual member thereof. Any person making personal, impertinent, or slanderous remarks while addressing the Council may be requested to leave the meeting.

All handouts and/or USB devices must be submitted to the City Secretary no later than noon on the Monday preceding the meeting. Handouts will be provided to each Councilmember prior to the start of the meeting by the City Secretary. All USB devices will be vetted by City IT staff to ensure City property is protected from malware.

Discussion by the Council of any item not on the agenda shall be limited to statements of specific factual information given in response to any inquiry, a recitation of existing policy in response to an inquiry, and/or a proposal to place the item on a future agenda. The presiding officer, during the Hearing of Residents portion of the agenda, will call on those persons who have signed up to speak in the order they have registered.

Consent Agenda Items

The Consent Agenda is considered self-explanatory and will be enacted by the Council with one motion. There will be no separate discussion of these items unless they are removed from the Consent Agenda upon the request of the Mayor or a Councilmember.

1. **Minutes** - Approving the Special Session Council Meeting minutes of November 18, 2024, and regular meeting minutes of November 19, 2024.(S.Edmondson/S.Courney)
2. **Resolution 24-R-159** - Approving a recommendation to name the adjacent park properties located in the 5700 Block of Jimmy Walker Drive and 2911 Homestead Parkway as Hilltop Park. (S.Gonzalez/L. Shrum)
3. **Master Calendar** - Approval of 2025 Master Calendar (S.Williams/Z.Reed)
4. **Resolution 24-R-161** - Authorizing an increase in expenditures with Musco Sports Lighting for the Schertz Soccer Complex Lighting Project (S.Gonzalez/L.Shrum)

Discussion and Action Items

5. **Resolution 24-R-150** - Establishing a legislative platform and priorities for the 89th legislative session in Texas. (S.Gonzalez/L.Klepper)
6. **Resolution 24-R-160** - Authorizing a construction contract with E-Z Bel Construction for the Buffalo Valley South Project (B.James/K. Woodlee/J.Nowak)
7. **Application for Landmark Property Designation** - Consideration of a Landmark Property Designation for the Schertz-Cibolo Cemetery, which is located at 93 Bubbling Springs Road. (S.Williams/B.James).

Public Hearings

8. **Ordinance 24-S-170** - Conduct a public hearing and consider a request for a Specific Use Permit to allow Mixed-Use Self-Storage in General Business (GB) on approximately 2.2 acres of land, located along the IH-35 North access road, near the intersection of Cibolo Valley Drive, more specifically known as a portion of Guadalupe County Property Identification Number 185564, City of Schertz, Guadalupe County, Texas. (B.James/L. Wood/W. Willingham)
9. **Ordinance 24-S-159** – Conduct a public hearing and consider a request to rezone approximately 3.014 acres of land to Agricultural District (AD), more specifically known as a portion of Comal County Property Identification Number 79004, Comal County, Texas. (B.James/L. Wood/E.Delgado)
10. **Ordinance 24-S-167** - Conduct a public hearing and consider a request to rezone approximately 100 acres of land from General Business District (GB) and Agricultural District (AD) to Manufacturing Light District (M-1) and Apartment / Multifamily Residential District (R-4) generally located at the intersection of Schwab Road and IH 35, more specifically known as Comal County Property Identification Numbers 79017, 75463, 79018, and 75468, City of Schertz, Comal County, Texas. (B.James/L. Wood/S.Haas)
11. **Ordinance 24-S-169** - Conduct a public hearing and consider a request to rezone approximately .23 acres of land from General Business District (GB) to Main Street Mixed Use District (MSMU), more specifically known as 702 Main Street, also known as Guadalupe County Property Identification Number 21458, City of Schertz, Guadalupe County, Texas. (B.James/L.Wood/S.Haas)

12. **Ordinance 24-S-168** - Conduct a public hearing and consider a request to rezone approximately 1.66 acres of land from General Business District (GB) and Single Family Residential District (R-2) to Main Street Mixed Use District (MSMU), more specifically known as 819, 817, and 815 Main Street and 810 Exchange Avenue, also known as Guadalupe County Property Identification Numbers 29057, 29058, 29059, 29060, 67493, 67495 City of Schertz, Guadalupe County, Texas. (B.James/L.Wood/S.Haas)

13. **Ordinance 24-A-158**- Conduct a public hearing and consider a request for voluntary annexation of approximately 3.014-acres, a portion of Comal County Property Identification Number 79004 Comal County, Texas. (B.James/L.Wood/E.Delgado)

Workshop

14. Workshop on the National League of Cities Membership (A.Heyward)

Information available in City Council Packets - NO DISCUSSION TO OCCUR

15. FY24 Summary report of Library activities (S.Gonzalez/M.Uhlhorn)

Requests and Announcements

- Requests by Mayor and Councilmembers for updates or information from Staff

- Requests by Mayor and Councilmembers that items or presentations be placed on a future City Council agenda

- City and Community Events attended and to be attended (Council)

Adjournment

CERTIFICATION

I, SHEREE COURNEY, DEPUTY CITY SECRETARY OF THE CITY OF SCHERTZ, TEXAS, DO HEREBY CERTIFY THAT THE ABOVE AGENDA WAS PREPARED AND POSTED ON THE OFFICIAL BULLETIN BOARDS ON THIS THE 27TH DAY OF NOVEMBER 2024 AT 6:00 P.M., WHICH IS A PLACE READILY ACCESSIBLE TO THE PUBLIC AT ALL TIMES AND THAT SAID NOTICE WAS POSTED IN ACCORDANCE WITH CHAPTER 551, TEXAS GOVERNMENT CODE.

SHEREE COURNEY

I CERTIFY THAT THE ATTACHED NOTICE AND AGENDA OF ITEMS TO BE CONSIDERED BY THE CITY COUNCIL WAS REMOVED BY ME FROM THE OFFICIAL BULLETIN BOARD ON _____ DAY OF _____, 2024.

NAME/TITLE: _____

This facility is accessible in accordance with the Americans with Disabilities Act. Handicapped parking spaces are available. If you require special assistance or have a request for sign interpretative services or other services, please call 210-619-1030.

The City Council for the City of Schertz reserves the right to adjourn into closed session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by the Texas Open Meetings Act.

Closed Sessions Authorized: This agenda has been reviewed and approved by the City’s legal counsel and the presence of any subject in any Closed Session portion of the agenda constitutes a written interpretation of Texas Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by the attorney that the items discussed therein may be legally discussed in the closed portion of the meeting considering available opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy Texas Government Code Chapter 551.144(c) and the meeting is conducted by all participants in reliance on this opinion.

COUNCIL COMMITTEE AND LIAISON ASSIGNMENTS

<p>Mayor Gutierrez Member Audit Committee Investment Advisory Committee Main Street Committee</p> <p>Liaison Board of Adjustments Senior Center Advisory Board-Alternate</p>	<p>Councilmember Davis– Place 1 Member Interview Committee Main Street Committee - Chair TIRZ II Board</p> <p>Liaison Parks & Recreation Advisory Board Schertz Housing Authority Board Transportation Safety Advisory Board</p>
<p>Councilmember Watson-Place 2 Member Audit Committee</p> <p>Liaison Library Advisory Board Senior Center Advisory Board Cibolo Valley Local Government Corporation-Ex-Officio</p>	<p>Councilmember Macaluso – Place 3 Member Interview Committee Hal Baldwin Scholarship Committee</p> <p>Liaison TIRZ II Board Animal Services Advisory Committee</p>
<p>Councilmember – Place 4</p>	<p>Councilmember Westbrook – Place 5 Liaison Schertz-Seguin Local Government Corporation (SSLGC) Planning and Zoning Commission Schertz Historical Preservation Society Cibolo Valley Local Government Corporation (CVLGC)-Alternate</p>

Councilmember Heyward – Place 6

Member

Animal Services Advisory Committee

Audit Committee

Interview Committee-Chair

Investment Advisory Committee

Main Street Committee

Liaison

Building and Standards Commission

Economic Development Corporation -

Alternate

Senior Center Advisory Board

Councilmember Brown – Place 7

Member

Main Street Committee

Schertz-Seguin Local Government Corporation
(SSLGC)

Liaison

Economic Development Corporation

CITY COUNCIL MEMORANDUM

City Council Meeting: December 03, 2024
Department: Parks, Recreation & Community Service
Subject: Presentation on the upcoming Holidazzle event on Saturday December 7, 2024. (S.Gonzalez/L.Shrum/C.Paddock)

BACKGROUND

Get ready to deck the halls and spread holiday cheer, because Holidazzle 2024 is scheduled for Saturday, December 7, 2024.

The day will be packed with festive fun, starting with Breakfast with Santa and the Kris Kringle Market and continuing into the evening with Holiday Hoopla, where attendees can enjoy a snow hill, ice skating, and more—all for free! The Kris Kringle Market begins at 10 am and ends at 3 pm. The festivities culminate in the Festival of Angels Lighted Parade, which promises to be a dazzling display of holiday lights. The parade kicks off at 6:00 pm. This event is made possible thanks to our sponsors - H-E-B, Abel's Diner, and Schertz-Cibolo Emergency Clinic. For more information, go to schertz.com/holidazzle.

Attachments

HD24 Council Presentation

HOLIDAZZLE

Cassie Paddock, Recreation Manager

DECK THE CITY HALL: DEC 5 | 6PM



Crafts & Activities

Holiday Craft, Letters to Santa,
and Photobooth

Holiday Lights

Buildings, Trees, and Canopy
Lights

Cookies & Hot Cocoa

Sponsored by The Chamber



Breakfast with Santa

Saturday, Dec 7

8AM | 9:15AM | 10:30AM

Bluebonnet Hall

Breakfast provided by Abel's Diner



Kris Kringle Market

Saturday, Dec 7

10AM-3PM

Grand Ballroom

35+ Vendors



HOLIDAY HOOPLA (4-8PM)

Fireside Roasting & Toasting

Food Trucks

Pictures with Santa

Mt. Schertz Snow Hill

2 Snow-play Areas

Ice Rink

Inflatables

Face Painting

Balloon Twisters

FESTIVAL OF ANGELS PARADE

Saturday, Dec 7

Parade Start: 6PM

Parade Staging:

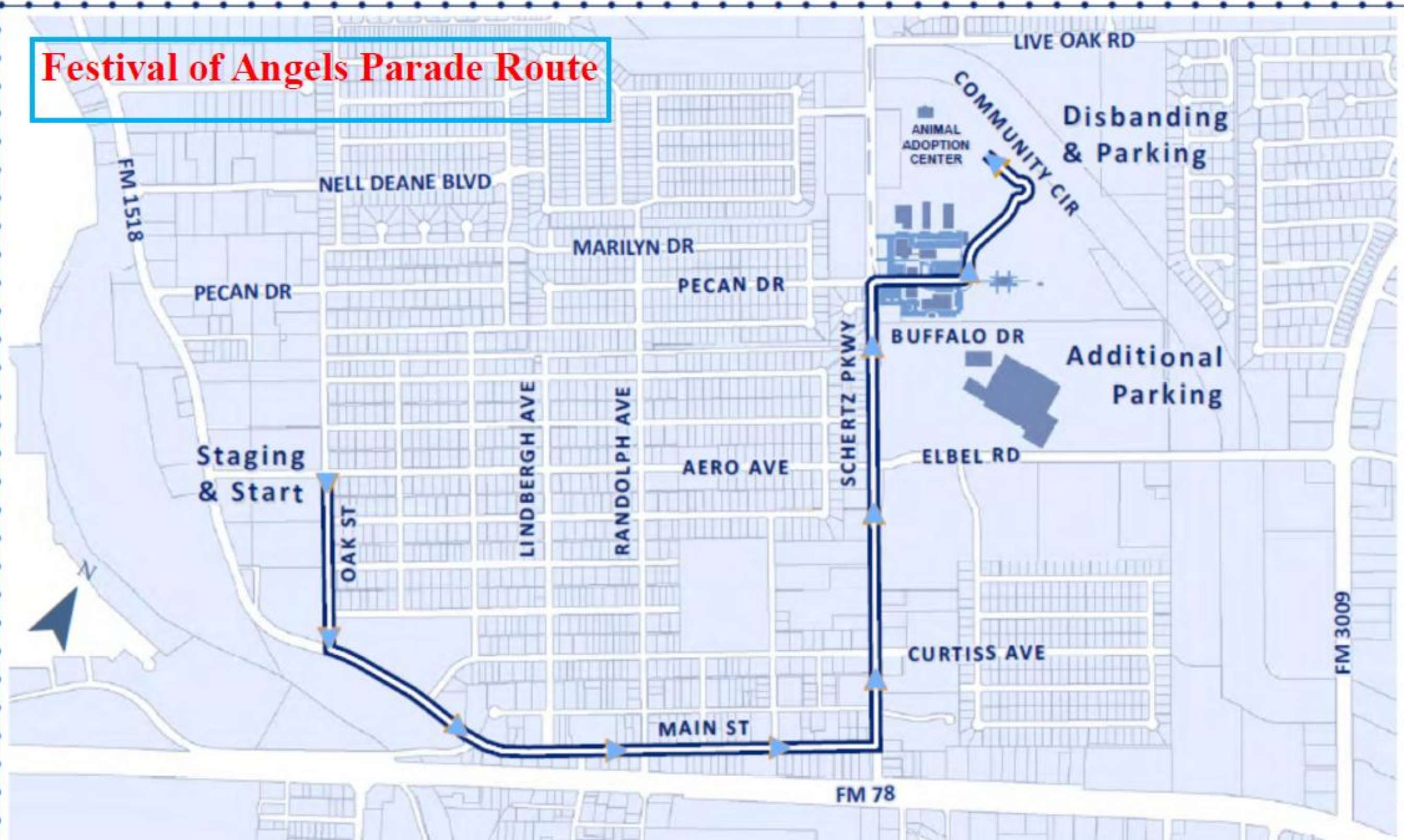
- Pickrell Park, 4:30PM

Road Closures:

- 4PM: Secondary Roads
- 5PM: Major Roads
- 5:30PM Full Shutdown



Festival of Angels Parade Route



City of Schertz
HOLIDAZZLE

Saturday, December 7
6:00 PM

COMMENTS & QUESTIONS



CITY COUNCIL MEMORANDUM

City Council Meeting: December 03, 2024
Department: Parks, Recreation & Community Service
Subject: Presentation of TRAPS 2024 Central Region Awards to the Schertz Parks & Recreation Department. (S.Gonzalez/L.Shrum)

BACKGROUND

The Schertz Parks & Recreation Team participated in the 2024 Central Region Maintenance Rodeo in Austin, Texas on November 14, 2024, and had a very strong showing. The maintenance rodeo had over 200 participants from 22 different agencies across the region. First through fifth place advance to the State Maintenance Rodeo in Allen, Texas on February 25, 2025. (6th place is an alternate if someone from the top 5 can't make it.)

Maintenance Rodeo Winners:

3rd Place - Zero Turn Mower: Ray Tyquiengco
4th Place - Truck and Trailer: Diego Martinez and Daniel Delong
6th Place - Truck and Trailer: Cole Moody and Larry May
5th Place - Backhoe: Ian King
5th Place - Irrigation Assembly: Ian King and Diego Martinez
6th Place - Nail Drive: Cole Moody

The department was also honored at the 2024 Central Region Awards at the Workshop on Friday, November 15 with the following awards:

Park Professional of the Year - Lauren Shrum
Conservation Award - The Great Springs Project
Photography Award - Special Events: Color Fight (Photo taken by Stacey Lovett)
Photography Award - Facilities: Veterans Memorial Plaza (Photo taken by Tony Morano)

Attachments

2024 Central Region TRAPS Awards



TRAPS AWARDS

Lauren Shrum, Director of Parks, Recreation and Community Services

MAINTENANCE RODEO

3rd Place- Zero Turn Mower: Ray Tyquiengco

4th Place- Truck and Trailer: Diego Martinez and Daniel Delong

6th Place- Truck and Trailer: Cole Moody and Larry May

5th Place- Backhoe: Ian King

5th Place- Irrigation Assembly: Ian King and Diego Martinez

6th Place- Nail Drive: Cole Moody



REGION AWARDS

Park Professional of the Year: **Lauren Shrum**

Conservation Award: **The Great Springs Project**

Photo- Facilities: **Veterans Memorial Plaza**

Photo- Special Events: **Color Fight**



COMMENTS & QUESTIONS



CITY COUNCIL MEMORANDUM

City Council Meeting: December 03, 2024
Department: City Secretary
Subject: Minutes - Approving the Special Session Council Meeting minutes of November 18, 2024, and regular meeting minutes of November 19, 2024.(S.Edmondson/S.Courney)

Attachments

11-18-2024 Draft Canvassing Minutes
11-19-2024 draft Council Minutes

DRAFT

MINUTES SPECIAL SESSION MEETING November 18, 2024

A Special Session Meeting was held by the Schertz City Council of the City of Schertz, Texas, on November 18, 2024, at 6:00 p.m. in the Hal Baldwin Municipal Complex Council Chambers, 1400 Schertz Parkway, Building #4, Schertz, Texas. The following members present to-wit:

Present: Mayor Ralph Gutierrez; Councilmember Mark Davis; Councilmember Paul Macaluso; Councilmember Allison Heyward; Councilmember Tim Brown

Absent: Mayor Pro-Tem Robert Westbrook; Councilmember Michelle Watson; Councilmember 4 Vacant

Staff present: City Manager Steve Williams; Deputy City Manager Brian James; Assistant City Manager Sarah Gonzalez; City Secretary Sheila Edmondson

Call to Order

Mayor Gutierrez called the meeting to order at 6:15 p.m.

Opening Prayer and Pledges of Allegiance to the Flags of the United States and State of Texas. (Councilmember Mayor Gutierrez)

Mayor Gutierrez provided the opening prayer and led the Pledges of Allegiance to the Flags of the United States and State of Texas.

Hearing of Residents

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No one signed up to speak.

Discussion and Action Items

1. **Resolution 24-R-154** - Approving the canvassing of the election returns and declaring the results of the November 5, 2024, General Election.(Mayor/Council/S.Edmondson)

City Secretary Sheila Edmondson presented Resolution 24-R-154, canvassing the general election returns and declaring the results of the November 5, 2024, General Election.

The following results are:

Robert Marks, Jr-received a total of 5,530 votes for 38.10% of the total vote.

Allison Heyward-received a total of 8,983 votes for 61.90% of the total vote,

Ms. Allison Heyward won the election and is returning as Councilmember Place 6.

Tim Brown-received 11,545 votes for 100% of the vote.

Mr. Tim Brown is returning as Councilmember Place 7.

Mayor Gutierrez asked for a motion to accept the totals from the November 5, 2024 General Election.

Moved by Councilmember Paul Macaluso, seconded by Councilmember Mark Davis

AYE: Councilmember Mark Davis, Councilmember Paul Macaluso, Councilmember Allison Heyward,
Councilmember Tim Brown

Passed

2. **Resolution 24-R-156** Approving, ordering and declaring the November 2024 Charter Amendments as approved by the voters of the City of Schertz, adopted; requiring certification and registration in accordance with state law. (Mayor/Council/S.Edmondson)

City Secretary Sheila Edmondson presented Resolution 24-R-156 Ordering and Declaring the November 5, 2024, Charter Amendments as approved by the voters of the City of Schertz,
The following results are:

Propositions	Early Voting			Election Day			Total Votes Cast	Vote %
	Bexar	Comal	Guadalupe	Bexar	Comal	Guadalupe		
Prop. A - Shall the City Charter of the City of Schertz be amended to specify all annexations shall be in accordance with State Law?	For: 1,998 Against: 464	For: 393 Against: 66	For: 10,038 Against: 1,773	For: 308 Against: 79	For: 67 Against: 18	For: 1,610 Against: 329	For: 14,414 Against: 2,729	For: 84.08% Against: 15.92%
Prop. B - Shall the City Charter of the City of Schertz be amended to increase the area for notification of disannexation from 200 feet to 1,000 feet from the area to be disannexed?	For: 1,785 Against: 644	For: 340 Against: 112	For: 8,276 Against: 3,157	For: 251 Against: 124	For: 65 Against: 19	For: 1,269 Against: 603	For: 11,986 Against: 4,659	For: 72.01% Against: 27.99%
Prop. C - Shall the City Charter of the City of Schertz be amended to clarify that any increase in city council compensation is not effective for members of the city council during the term which the increase is effectuated?	For: 1,809 Against: 703	For: 347 Against: 97	For: 9,311 Against: 2,506	For: 279 Against: 112	For: 60 Against: 24	For: 1439 Against: 510	For: 13,245 Against: 3,952	For: 77.02% Against: 22.98%
Prop. D - Shall the City Charter of the City of Schertz be amended to remove the signing of plats from the list of official documents required to be signed by the Mayor?	For: 1,352 Against: 1,050	For: 224 Against: 203	For: 6,337 Against: 4854	For: 205 Against: 172	For: 44 Against: 35	For: 981 Against: 882	For: 9143 Against: 7,196	For: 55.96% Against: 44.04%
Prop. E - Shall the City Charter of the City of Schertz be amended to clarify that no Mayor or Council Member may be employed by the City until two years after the expiration of their term of office?	For: 2,073 Against: 476	For: 389 Against: 65	For: 9,898 Against: 2072	For: 302 Against: 100	For: 73 Against: 12	For: 1,613 Against: 397	For: 14,348 Against: 3,122	For: 82.13% Against: 17.87%
Prop. F - Shall the City Charter of the City of Schertz be amended to remove unnecessary language?	For: 1,919 Against: 599	For: 359 Against: 99	For: 9,245 Against: 2,657	For: 273 Against: 123	For: 69 Against: 18	For: 1,437 Against: 581	For: 13,302 Against: 4,077	For: 76.54% Against: 23.46%

Prop. G. Shall the City Charter of the City of Schertz be amended to require that passage of an ordinance or resolution require one reading?	For: 1,740 Against: 680	For: 310 Against: 120	For: 8,438 Against: 2,961	For: 259 Against: 104	For: 67 Against; 14	For: 1,397 Against: 490	For: 12,211 Against: 4,369	For: 73.65% Against: 26.35
Prop. H. Shall the City Charter of the City of Schertz be amended to remove the requirement that the city manager become a resident of the city within four months after the date of his or her appointment?	For: 1,284 Against: 1,248	For: 268 Against: 180	For: 6,608 Against: 5,446	For: 210 Against: 186	For: 56 Against; 30	For: 1,156 Against: 877	For: 9,582 Against: 7,967	For: 54.60% Against: 45.60%
Prop. I Shall the City Charter of the City of Schertz be amended to remove the requirement for the city manager to establish a system to control the use and replacement of expendable items?	For: 1,200 Against: 1,218	For: 241 Against: 190	For: 5,913 Against: 5,379	For: 185 Against: 185	For: 45 Against: 34	For: 991 Against: 882	For: 8575 Against: 7,888	For: 52.09% Against: 47.91%
Prop. J Shall the City Charter of the City of Schertz be amended to remove the requirement for the city secretary to report administratively to the city manager?	For: 1,055 Against: 1,395	For: 207 Against: 224	For: 4,986 Against: 6,408	For: 167 Against: 214	For: 44 Against: 36	For: 827 Against: 1,076	For: 7,286 Against: 9,353	For: 43.79% Against: 56.21%
Prop. K Shall the City Charter of the City of Schertz be amended to change the percentage of voters required to sign an initiative or referendum petition from fifteen percent to ten percent?	For: 1,077 Against: 1,381	For: 191 Against: 247	For: 5,032 Against: 6,570	For: 156 Against; 232	For: 37 Against: 42	For: 802 Against: 1,123	For: 7,295 Against: 9,598	For: 43.18% Against: 56.82%
Prop. L- Shall the City Charter of the City of Schertz be amended to change the percentage of voters required to sign a recall petition from twenty percent fifteen percent?	For: 1,234 Against: 1,220 20	For: 230 Against: 207	For: 5,828 Against: 5,784	For: 195 Against: 192	For: 44 Against: 36	For: 931 Against: 990	For: 8,462 Against: 8,429	For: 50.10% Against: 49.90%
Prop. M- Shall the City Charter of the City of Schertz be amended to require the city council appoint a charter review commission not later than five years after the most recent charter review commission?	For: 2,040 Against: 349	For: 366 Against: 53	For: 9,562 Against; 1,589	For: 307 Against: 57	For; 75 Against: 5	For: 1,581 Against: 265	For: 13,931 Against: 2,318	For: 85.73% Against: 14.27%
Prop. N- Shall the City Charter of the City of Schertz be amended to provide that each member of the city council appoints a citizen to the charter review commission and the mayor appoints two citizens to the charter review commission, one of which shall be the chair?	For: 1,935 Against: 449	For: 352 Against: 69	For: 9,226 Against: 2,010	For: 291 Against: 76	For: 69 Against: 12	For: 1,553 Against: 315	For: 13,426 Against: 2,931	For: 82.08% Against: 17.92%

Prop. O - Shall the City Charter of the City of Schertz be amended to clarify that City Council shall hold a public hearing on a proposed disannexation not later than 30 days after the public hearing by the Planning and Zoning Commission?	For: 2,272	For: 385	For: 10,339	For: 349	For: 73	For: 1,718	For: 15,138	For: 90.94%
	Against: 217	Against: 32	Against: 1,046	Against: 33	Against: 3	Against: 177	Against: 1,508	Against: 9.06%
	Early Voting:	261,303		Election Day:	46,253		Total Votes Cast	307,556

Mayor Gutierrez asked for a motion to accept Resolution 24-R-156.

Moved by Councilmember Allison Heyward, seconded by Councilmember Tim Brown

AYE: Councilmember Mark Davis, Councilmember Paul Macaluso, Councilmember Allison Heyward, Councilmember Tim Brown

Passed

Moved by Councilmember Mark Davis, seconded by Councilmember Allison Heyward

AYE: Councilmember Mark Davis, Councilmember Paul Macaluso, Councilmember Allison Heyward, Councilmember Tim Brown

Passed

3. Oath of Office(S.Edmondson)

- Officers-Oath of Office
 - Place 6-Oath of Office to Ms. Allison Heyward

City Secretary swore in Ms. Allison Heyward as Councilmember Place 6.

- Place 7-Oath of Office to Mr. Tim Brown

City Secretary swore in Tim Brown as Councilmember Place 7.

Comments by Councilmember Heyward:

Councilmember Heyward thanked the citizens of the City of Schertz for supporting her and voting her in for a new term.

Comments by Councilmember Brown:

Councilmember Brown thanked the citizens of the City of Schertz for supporting him and voting him in for a new term,

Adjournment

Mayor Gutierrez adjourned the meeting at 6:30 p.m.

Ralph Gutierrez, Mayor

ATTEST:

Sheree Courney, Deputy City Secretary

DRAFT

MINUTES REGULAR MEETING November 19, 2024

A Regular Meeting was held by the Schertz City Council of the City of Schertz, Texas, on November 19, 2024, at 6:00 p.m. in the Hal Baldwin Municipal Complex Council Chambers, 1400 Schertz Parkway, Building #4, Schertz, Texas. The following members present to-wit:

Present: Mayor Ralph Gutierrez; Mayor Pro-Tem Robert Westbrook; Councilmember Mark Davis; Councilmember Michelle Watson; Councilmember Paul Macaluso; Councilmember Allison Heyward; Councilmember Tim Brown

Absent: Councilmember Place 4 (vacant)

Staff present: City Manager Steve Williams; City Attorney Daniel Santee; Deputy City Manager Brian James; Assistant City Manager Sarah Gonzalez; City Secretary Sheila Edmondson;

Call to Order

Mayor Gutierrez called the meeting to order at 6:00 p.m.

Opening Prayer and Pledges of Allegiance to the Flags of the United States and State of Texas. (Councilmember Mark Davis)

Councilmember Mark Davis provided the opening prayer and led the Pledges of Allegiance to the Flags of the United States and the State of Texas.

Proclamations

Small Business Saturday-November 30, 2024 (Councilmember Heyward)

Councilmember Heyward presented the Small Business Saturday, November 30, 2024, Proclamation to Matt and Enga Stanfield, owners of Mattenga's Pizzeria, and Maggie Titterington, President of The Chamber.

City Events and Announcements

- Announcements of upcoming City Events (B. James/S. Gonzalez)
Assistant City Manager Sarah Gonzalez announced upcoming city events.
- Announcements and recognitions by the City Manager (S. Williams)
City Manager Steve Williams had no announcements or recognitions.

- Announcements and recognitions by the Mayor (R. Gutierrez)
Mayor Gutierrez had no announcements or recognitions.

Hearing of Residents

This time is set aside for any person who wishes to address the City Council. Each person should fill out the speaker's register prior to the meeting. Presentations should be limited to no more than 3 minutes.

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Mayor Pro-Tem Robert Westbrook recognized the following residents:

Martin Trevino, 913 Kauri Cliffs, Cibolo, spoke on behalf of the Schertz Police Association, regarding anonymous letters sent to City leadership, including members of Council. He stated that after a thorough consultation with the Schertz Police Association Board members, they confirmed no association member has approached them with concerns that align with the grievances cited in the letters. He further stated, the Schertz Police Association fully supports Chief Lowery, his vision and his leadership. They are confident in his direction for the department and believe that morale is at an all-time high under his guidance.

Daniel Jameson, 1048 Richmond Drive, Schertz, gave kudos to Lowe's Improvement for their work to remodel the local VFW.

Maggie Titterington, 1730 Schertz Parkway, Chair of the Schertz Historical Preservation Committee, gave a summary of this year's accomplishments and invited residents interested in joining the committee to attend the meeting scheduled for November 20th.

Ben Guerrero, 506 Capot Court Ln, stated he is a candidate for City Council Place 4 and provided insight regarding the challenges and his support of first responders in Schertz.

Consent Agenda Items

The Consent Agenda is considered self-explanatory and will be enacted by the Council with one motion. There will be no separate discussion of these items unless they are removed from the Consent Agenda upon the request of the Mayor or a Councilmember.

1. **Minutes** - Consideration and/or action regarding the approval of the minutes and Council Meeting minutes of November 12, 2024 (S.Edmondson/S.Courney)
2. **Resolution 24-R-155** - Approving a contract with Global Payments for credit card processing. (S.Gonzalez/J.Walters)
3. **Ordinance 24-S-160** - Approve a request for a Specific Use Permit to allow a Manufactured / Mobile Home on approximately 2 acres of land, known as 6759 Pfeil Rd, also known as Bexar County Property Identification Number 1296079, City of Schertz, Bexar County, Texas. ***Final Reading*** (B.James/L.Wood/D.Marquez)
4. **Ordinance 24-S-157**- Approve a request to rezone approximately 218 acres of land to Agricultural District (AD), more specifically known as Comal County Property Identification Numbers 79001, 78946, 75480, 78247, 79009, and 79006, City of Schertz, Comal County, Texas. ***Final Reading*** (B.James/L.Wood/E.Delgado)
5. **Resolution 24-R-157** - Authorizing an Improvement Agreement for the Rumpf Development for drainage and utility easement acquisition reimbursement and to acquire ROW and drainage and utility easements from SCUCISD. (S.Williams/B.James)
6. **Ordinance 24-S-163** - Amendments to the Public Works Specification Manual. ***Final Reading*** (B.James/K.Woodlee)

No items were removed for separate action.

Mayor Gutierrez asked for a motion to approve Consent Agenda Items #1 - #6.

Moved by Councilmember Michelle Watson, seconded by Councilmember Paul Macaluso

AYE: Mayor Pro-Tem Robert Westbrook, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Paul Macaluso,
Councilmember Allison Heyward, Councilmember Tim Brown

Passed

Discussion and Action Items

7. **Resolution 24-R-158** - Ordering and declaring the November 2024 Charter Amendments, as approved by the voters of the City of Schertz, adopted; requiring certification and registration in accordance with state law. (Mayor/S.Edmondson)

Mayor Gutierrez recognized City Secretary Sheila Edmondson who presented Resolution 24-R-158 ordering and declaring the November 2024 Charter Amendments, as approved by the voters of the City of Schertz, adopted; requiring certification and

registration in accordance with state law.

Mayor Gutierrez opened the floor to Council for discussion.

Mayor Pro-Tem Westbrook requested clarification of the process. Ms. Edmondson explained that the Mayor would sign as the certifying officer for the City, and she would sign attesting to the accuracy of the information, then the authenticated copy of the resolution with a list of the propositions that passed would be sent to the Secretary of State via US Mail.

Moved by Councilmember Tim Brown, seconded by Councilmember Allison Heyward

AYE: Mayor Pro-Tem Robert Westbrook, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Paul Macaluso,
Councilmember Allison Heyward, Councilmember Tim Brown

Passed

8. Resolution 24-R-120 - Authorizing a Contract with H2O Partners, Inc. for Grant Writing, Planning, and Management Services for Local Hazard Mitigation Plans Program (LHMPP) (S.Williams/G.Rodgers/B.High)

Mayor Gutierrez recognized Emergency Manager Brandon High who presented Resolution 24-R-120, authorizing a contract with H2O Partners, Inc. for Grant Writing, Planning, and Management Services for Local Hazard Mitigation Plans Program (LHMPP).

Mayor Gutierrez opened the floor to Council for discussion.

Mayor Pro-Tem Westbrook asked for clarification regarding the school district's threat mitigation team process vs. the City's threat and hazard identification risk assessment and then inquired on the scope of the services for the contract. Mr. High provided an explanation regarding the School district's process and what the City is currently working toward. He also provided details regarding the scope of the contract with H2O.

Mayor Gutierrez called for a motion to approve Resolution 24-R-120.

Moved by Councilmember Allison Heyward, seconded by Councilmember Michelle Watson

AYE: Mayor Pro-Tem Robert Westbrook, Councilmember Mark Davis,
Councilmember Michelle Watson, Councilmember Paul Macaluso,
Councilmember Allison Heyward, Councilmember Tim Brown

Passed

Workshop

9. Workshop regarding updating the Unified Development Code in relation to Temporary Signs. (B.James/L.Wood/E.Delgado)

Mayor Gutierrez recognized Planning Manager Emily Delgado who provided an update from the November 12, 2024 Workshop where staff gave a presentation regarding temporary signs and proposed amendments to the UDC. Based on feedback from businesses and residential development community, staff proposed additional amendments for Council's consideration.

Mayor Gutierrez opened the floor to Council for discussion.

Councilmembers expressed concerns with removing all limitations on temporary signs. Ms. Delgado and Deputy City Manager Brian James addressed their concerns. Councilmembers provided more insight regarding their intent and clarified their position on the number, height, and time period allowed for temporary signs.

Information available in City Council Packets - NO DISCUSSION TO OCCUR

Requests and Announcements

- Requests by Mayor and Councilmembers for updates or information from Staff
No requests by Mayor or Councilmembers for updates or information from Staff.
- Requests by Mayor and Councilmembers that items or presentations be placed on a future City Council agenda
No requests by Mayor or Councilmembers that items or presentations be placed on a future City Council agenda.
- City and Community Events attended and to be attended (Council)
 - *Councilmember Davis attended the Park Board meeting.
 - *Councilmember Macaluso participated in the Hal Baldwin Golf Tournament.
 - *Councilmember Heyward attended the National League of Cities Summit in Tampa and The Chamber luncheon.
 - *Councilmember Brown participated in the Hal Baldwin Golf Tournament.

Adjournment

Mayor Gutierrez adjourned the meeting at 7:19 p.m.

Ralph Gutierrez, Mayor

ATTEST:

Sheree Courney, Deputy City Secretary

CITY COUNCIL MEMORANDUM

City Council Meeting: December 03, 2024
Department: Parks, Recreation & Community Service
Subject: Resolution 24-R-159 - Approving a recommendation to name the adjacent park properties located in the 5700 Block of Jimmy Walker Drive and 2911 Homestead Parkway as Hilltop Park. (S.Gonzalez/L. Shrum)

BACKGROUND

The City of Schertz has owned the 8.37 acres known (informally) as Hilltop Park since 2007. The 14.86-acre park property in the Homestead development was recently dedicated to the city as the developer completed the requirements of their parkland dedication agreement - a walking trail, pond with fishing pier, lighting, electrical and water/wastewater connections, and parking. The two park properties are adjacent and will be combined into one large community park. Phase II of park improvements are funded through a grant agreement with Texas Parks & Wildlife and will be forthcoming as well as the addition of parcels currently owned by HOA's for a future total of 45 acres. A formal park name is needed as we move forward with marketing and communications regarding this new park and the Parks Board discussed the name at their November 18, 2024 meeting and recommended the long-held informal name be adopted for official use, Hilltop Park.

GOAL

Approve Resolution 24-R-159 naming park properties Hilltop Park.

COMMUNITY BENEFIT

The community will benefit from the addition of 45 acres of parkland to the northern area of Schertz that has historically been underserved. The new formal name will allow for the community to recognize and identify the location of the new park as we communicate out information on future improvements.

SUMMARY OF RECOMMENDED ACTION

Approve Resolution 24-R-159 naming park properties Hilltop Park.

RECOMMENDATION

Approve Resolution 24-R-159.

Attachments

Resolution 24-R-159
Hilltop Park parcel map

RESOLUTION NO. 24-R-159

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS APPROVING THE RECOMMENDATION TO NAME THE ADJACENT PARK PROPERTIES LOCATED IN THE 5700 BLOCK OF JIMMY WALKER DRIVE AND 2911 HOMESTEAD PARKWAY AS HILLTOP PARK.

WHEREAS, the City has owned the 8.37-acre park property known informally as Hilltop Park since 2007; and

WHEREAS, the City has accepted the 14.86-acre park property developed through parkland dedication agreement in the Homestead subdivision; and

WHEREAS, the two aforementioned park properties are adjacent and will be managed and marketed as one large community park; and

WHEREAS, the Schertz Parks & Recreation Advisory Board approved the name at their regular meeting on November 18, 2024 and recommended that council approve the name, Hilltop Park.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS THAT:

Section 1. The City Council hereby names the adjacent park properties located in the 5700 Block of Jimmy Walker and 2911 Homestead Parkway as Hilltop Park.

Section 2. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 3. All resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 4. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Resolution would have been enacted without such invalid provision.

Section 6. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 7. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED AND ADOPTED, this ____ day of _____, 2024.

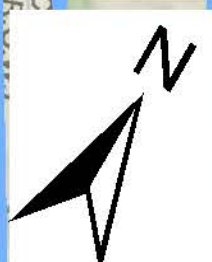
CITY OF SCHERTZ, TEXAS

Ralph Gutierrez, Mayor

ATTEST:

Sheila Edmondson, City Secretary

(CITY SEAL)



PARCEL ID: 134168
FAIRHAVEN
HOMEOWNERS ASSOCIATION INC
8.08 AC.

PARCEL ID: 130926
THE LINKS AT SCENIC HILLS
(SCHERTZ) HOA
7.27 AC.

CITY OF SCHERTZ
HILLTOP PARK
8.37 AC.

PARCEL ID: 64083

PARCEL ID: 67960

PROPOSED CITY PARK
14.86 AC.

PARCEL ID: 140825
THE LINKS AT SCENIC HILLS
(SCHERTZ) HOA
6.07 AC.

SCUDISD
SCHOOL SITE
(23.76 AC.)

CITY
PARK
(14.86 AC.)

UNIT 5
BLOCK 17

UNIT 9
BLOCK 19

UNIT 14
BLOCK 20



CITY COUNCIL MEMORANDUM

City Council Meeting: December 03, 2024
Department: City Manager/City Secretary
Subject: Master Calendar - Approval of 2025 Master Calendar (S.Williams/Z.Reed)

BACKGROUND

Each year, staff drafts a Master Calendar that serves as a planning tool for the upcoming year.

There are a couple items to note which are the dates of Special Called Council meetings/retreats, which are tentatively planned as follows:

- February 7 – Council Strategic Plan Retreat – Location TBD
- March 28 – Council Pre-Budget Retreat – Location TBD
- August 1 – Council Budget Retreat – Location TBD
- November 17 – Council Meeting to Canvass Results of November 4 Election

All dates are reflected on the 2025 City Council Calendar.

RECOMMENDATION:

As in years past, staff recommends Council approval of the Master Calendar with the following considerations regarding cancelation and addition of the following City Council meetings:

- Cancel the October 7, 2025, Council Meeting due to Texas National Night Out and reschedule for October 14, 2025.
- Cancel the November 4, 2025, Council Meeting due to Election Day. This means there is only 1 regular meeting scheduled in November, but council can call for a meeting if needed.

If Council has concerns regarding these considerations, please contact the City Manager's office.

Additionally, staff has provided a detailed list of 2025 Council/Boards/Commissions and a 2025 Schertz Parks & Recreation Event List.

Attachments

- 2025 Master Calendar
- 2025 Council Board & Commissions
- 2025 Parks & Recreation Event List



2025 Master Calendar

JANUARY		FEBRUARY											
S	M	T	W	T	F	S	S	M	T	W	T	F	S
			1	2	3	4							1
5	6	7	8	9	10	11	2	3	4	5	6	7	8
12	13	14	15	16	17	18	9	10	11	12	13	14	15
19	20	21	22	23	24	25	16	17	18	19	20	21	22
26	27	28	29	30	31		23	24	25	26	27	28	

1 New Year's Day (Office Closed)
 11 Polar Bear 5K & Plunge
 20 Martin Luther King, Jr. Day (Office Closed)
 20 Inauguration Day

MARCH		APRIL											
S	M	T	W	T	F	S	S	M	T	W	T	F	S
						1			1	2	3	4	5
2	3	4	5	6	7	8	6	7	8	9	10	11	12
9	10	11	12	13	14	15	13	14	15	16	17	18	19
16	17	18	19	20	21	22	20	21	22	23	24	25	26
23	24	25	26	27	28	29	27	28	29	30			
30	31												

1 Kick Cancer Pep Rally & 5K Run
 2 Texas Independence Day
 9 Daylight Savings Begins
 17 St. Patrick's Day
 24 Employee Remembrance Day
 28 Council Pre-Budget Retreat
 30 Ramadan Ends

MAY		JUNE											
S	M	T	W	T	F	S	S	M	T	W	T	F	S
				1	2	3	1	2	3	4	5	6	7
4	5	6	7	8	9	10	8	9	10	11	12	13	14
11	12	13	14	15	16	17	15	16	17	18	19	20	21
18	19	20	21	22	23	24	22	23	24	25	26	27	28
25	26	27	28	29	30	31	29	30					

5 Cinco De Mayo
 11 Mother's Day
 17 Armed Forces Day
 26 Memorial Day (Office Closed)

JULY		AUGUST											
S	M	T	W	T	F	S	S	M	T	W	T	F	S
		1	2	3	4	5						1	2
6	7	8	9	10	11	12	3	4	5	6	7	8	9
13	14	15	16	17	18	19	10	11	12	13	14	15	16
20	21	22	23	24	25	26	17	18	19	20	21	22	23
27	28	29	30	31			24	25	26	27	28	29	30
							31						

4 Independence Day (Office closed)
 4 July 4th Jubilee

SEPTEMBER		OCTOBER											
S	M	T	W	T	F	S	S	M	T	W	T	F	S
	1	2	3	4	5	6				1	2	3	4
7	8	9	10	11	12	13	5	6	7	8	9	10	11
14	15	16	17	18	19	20	12	13	14	15	16	17	18
21	22	23	24	25	26	27	19	20	21	22	23	24	25
28	29	30					26	27	28	29	30	31	

1 Labor Day (Office Closed)
 11 Patriot Day
 22 Rosh Hashanah (Ends Sep.24)

NOVEMBER		DECEMBER											
S	M	T	W	T	F	S	S	M	T	W	T	F	S
						1		1	2	3	4	5	6
2	3	4	5	6	7	8	7	8	9	10	11	12	13
9	10	11	12	13	14	15	14	15	16	17	18	19	20
16	17	18	19	20	21	22	21	22	23	24	25	26	27
23	24	25	26	27	28	29	28	29	30	31			
30													

2 Daylight Savings Time Ends
 4 Election Day
 11 Veterans Day (Office Closed Nov. 10 & 11)
 17 Canvassing
 27 Thanksgiving (Office Closed Nov. 27 & 28)

1 Mother/Son Dance & Daddy/Daughter
 7 Council Strategic Plan Retreat
 14 Valentine's Day
 17 President's Day (Office Closed)
 28 Ramadan Begins

13 Passover
 13 Palm Sunday
 18 Good Friday
 20 Easter Sunday
 23 Administrative Professionals Day

14 Flag Day
 15 Father's Day
 19 Juneteenth (Office Closed Jun. 19 & 20)

1 Council Budget Retreat

1 Yom Kippur (Ends Oct.2)
 7 National Night Out
 13 Columbus Day/Indigenous Peoples Day (Office Closed)
 16 Boss's Day
 29 Annual TML Conference (Ft.Worth - Ends Oct. 31)
 31 Halloween

4 Deck the City Hall/Tree Lighting
 6 Holidazzle
 14 Hanukkah Begins (Ends Dec. 22, 2025)
 24 Christmas Eve (Office Closed)
 25 Christmas Day (Office Closed Dec. 24-26)
 26 Kwanzaa Begins (Ends Jan. 1, 2026)
 31 New Year's Eve

 Council Retreat/Election Canvassing
 Council Meeting
 City Holidays/Office Closed

Dates are subject to change.

Check www.schertz.com for updated information

The following City Council meetings have been rescheduled:
 October 7 rescheduled to October 14 due to National Night Out

2025 Council/Boards/Commissions

City Council Meetings

Day: 1st and 3rd Tuesdays of the month
Time: 6:00 PM
Location: Council Chambers
Exceptions: The following City Council meetings have been cancelled or rescheduled: October 7th rescheduled to October 14th due to National Night Out

SEDC - Schertz Economic Development Corporation Board

Day: 4th Thursday of the month
Time: 6:00 PM
Location: Council Chambers Conference Room
Exceptions: November 20th (3rd Thursday) and December 11th (2nd Thursday)

Library Advisory Board

Day: 1st Monday of the month
Time: 6:30 PM
Location: Schertz Library - Meeting Room 1
Exceptions: No meeting in July; Will hold meeting September 8th (2nd Monday)

Main Street Committee

Day: Tuesdays, January 28th, May 13th, and September 23rd
Time: 6:00 PM
Location: Council Chambers

Parks & Recreation Advisory Board

Day: Bi-monthly on the 4th Monday: January 27th, March 24th, May 19th (3rd Monday), July 28th, September 22nd, November 17th (3rd Monday)
Time: 5:30 PM
Location: Bob Andrews Conference Room

P & Z – Planning and Zoning

Day: 1st Wednesday of the month
Time: 6:00 PM
Location: Council Chambers
Exceptions: January 8th (2nd Wednesday)

TSAC – Transportation Safety Advisory Commission

Day: 1st Thursday of the month
Time: 5:30 PM
Location: Council Chambers
Exceptions: No meetings in January, July, or December

SHPC – Schertz Historical Preservation Committee

Day: 3rd Thursday of the month
Time: 6:00 PM
Location: Bob Andrews Conference Room
Exceptions: No meetings in November or December

TIRZ Board – Tax Increment Reinvestment Zone

Day: Quarterly on the 2nd Tuesday: January 14th, April 8th, July 8th, October 14th
Time: 4:00 PM
Location: Council Chambers

Animal Services Advisory Committee

Day: Quarterly on the 1st Wednesday: February 5th, May 7th, August 6th, November 5th
Time: 6:00 PM
Location: Schertz Animal Services, 800 Community Circle

SSLGC – Schertz/Seguin Local Government Corporation

Day: 3rd Thursday of the month
Time: 1:30 PM
Location: SSLGC Administration Office Building, 108 W. Mountain Street, Seguin TX 78155

CVLGC – Cibolo Valley Local Government Corporation

Day: 4th Thursday of the month
Time: 8:30 AM
Location: Alternates between Schertz & Cibolo – contact Jackie Gaines jackie.gaines@cvlgc.com
February 27th, City of Schertz; May 22nd, City of Cibolo; August 28th, City of Schertz
Exceptions: October, November, and December TBD
Cibolo

Board of Adjustments

Note: Will be held on an as-needed basis
Planning and Community Development will work with City Staff, Board Members, and the Applicant to coordinate the meeting.

Building and Standards Commission

Note: Will be held on an as-needed basis
Planning and Community Development will work with City Staff, Board Members, and the Applicant to coordinate the meeting.

2025 Schertz Parks & Recreation Event List

Feb 8- Nature Discovery Series
Mar 8- Nature Discovery Series
Mar 8- Famer's Market
Apr 4- Easter Egg-Stravaganza
Apr 12- Power Wheels Event
Apr 12- Nature Discovery Series
Apr 25- Murder Mystery Party
May 3- Farmer's Market
May 10- Nature Discovery Series
May 17- Dark Skies and Fireflies
May 24- Pool Opens
June 6- Music & Movies in the Park (MMITP)
June 7- Farmer's Market
June 7- Nature Discovery Series
June 13- MMITP
June 21- MMITP (Float N Flick)
June 22- Owl Prowl
June 30- Project Flagline
July 8, 10, 15, 17, 22, 24, 29, 31- Parks & Rec Month Events
July 12- MMITP (Float N Flick)
July 12- Nature Discovery Series
July 25- MMITP
July 27- Owl Prowl
August 24- Owl Prowl
September 6- Farmer's Market
September 7- Paws in the Pool
September 13- Nature Discovery Series
September 28- Owl Prowl
October 4- Farmer's Market
October 11- Nature Discovery Series
October 17- MMITP
October 24- Murder Mystery Party
November 14- Nature Discovery Series

CITY COUNCIL MEMORANDUM

City Council Meeting: December 03, 2024
Department: Parks, Recreation & Community Service
Subject: Resolution 24-R-161 - Authorizing an increase in expenditures with Musco Sports Lighting for the Schertz Soccer Complex Lighting Project (S.Gonzalez/L.Shrum)

BACKGROUND

Council previously approved Resolution 24-R-100 authorizing expenditures with Musco Sports Lighting, LLC, a BuyBoard Purchasing Cooperative vendor, in an amount not to exceed \$1,843,000 for the Schertz Soccer Complex Lighting Project. In discussions with the Chief Building Official, it was determined that an engineered site plan would be needed for the new conduit run to Field 12 since the original complex plans did not include an electrical plan for Field 12. Musco Sports Lighting is able to provide an engineered plan from their engineer for Change Order #1 in the amount of \$6,500. City staff is requesting authorization to add 5% contingency to cover Change Order #1 and to be able to address any other items that come up throughout the construction project.

GOAL

The goal is to add contingency to the project so that additional items needed can be accommodated through the change order process.

COMMUNITY BENEFIT

The community will benefit from the lighting project being completed on schedule in time before the spring recreational soccer season begins.

SUMMARY OF RECOMMENDED ACTION

Approve Resolution 24-R-161.

FISCAL IMPACT

A five percent contingency of \$92,150 is being requested for change orders that may come up as we work through the construction process. The new not to exceed total is \$1,935,150. The Parks General Fund Budget can fund any potential contingency costs and city staff can also approach Schertz EDC for additional contingency funds as the project progresses. The first Change Order is in the amount of \$6,500.

RECOMMENDATION

Approve Resolution 24-R-161.

Attachments

Resolution 24-R-100 signed
Resolution 24-R-161

RESOLUTION NO. 24-R-100

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AUTHORIZING A PURCHASE FROM MUSCO SPORTS LIGHTING, LLC, A BUYBOARD PURCHASING COOPERATIVE VENDOR, FOR THE SCHERTZ SOCCER COMPLEX LIGHTING PROJECT.

WHEREAS, the Schertz Soccer Complex only has two lighted fields and needs lighting for all twelve fields to maximize field capacity; and

WHEREAS, the city has a policy to seek authorization for purchases in excess of \$50,000 with a single vendor and the BuyBoard quote totals \$1,843,000; and

WHEREAS, the BuyBoard National Purchasing Cooperative is a national online purchasing cooperative formed between the National School Boards Association and several state school boards associations, developed to comply with state laws which require government entities to make purchases through a competitive procurement process; and

WHEREAS, BuyBoard gives public entities the advantage of leveraging the cooperative's ability to obtain bulk discounts, combined with the ease of online, web-based shopping and ordering; and

WHEREAS, purchases under the cooperative programs meet the requirements under the Texas Local Government Purchasing Code rule for cooperative purchases as adopted by the City of Schertz Resolution 11-R-41 on August 30, 2011 amending the City's purchasing policy.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS THAT:

Section 1. The City Council hereby authorizes the purchase from Musco Sports Lighting, LLC, a BuyBoard Purchasing Cooperative vendor, in an amount not to exceed \$1,843,000 for the Schertz Soccer Complex Lighting Project (in attached Exhibit A.)

Section 2. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 3. All resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 4. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Resolution would have been enacted without such invalid provision.

Section 6. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 7. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED AND ADOPTED, this 20th day of August, 2024.

CITY OF SCHERTZ, TEXAS



Ralph Gutierrez, Mayor

ATTEST:



Sheree Courney, Deputy City Secretary



EXHIBIT A

BUYBOARD PURCHASE QUOTE – CONTRACT NUMBER: 677-22

**Project: Schertz Soccer Complex Phase 2
Schertz, TX
Musco Project Number: 165627
Date: August 13, 2024
Expiration date: September 13, 2024**

**BuyBoard
Master Project: 218434, Contract Number: 677-22, Expiration: 09/30/2024
Commodity: Parks and Sports Field Lighting Products and Installation Services**

**All purchase orders should note the following:
BuyBoard Purchase – Contract Number: 677-22**

Quotation Price – Materials Delivered to Job Site and Project Management

All Fields 1-12 -	\$ 1,843,000.00
Deduct if Retrofit of Fields 1 and 2 are not purchased -	\$ -169,000.00
Total (Fields 3-12) -	\$ 1,674,000.00

Quote is confidential. Pricing and lead times are effective for 60 days only. Prices are subject to change if the order is not released within 60 days from the date of the purchase. Sales tax is not included.

Light-Structure System™ with Total Light Control – TLC for LED™ technology / Fields 3-12

System Description

- 164 - Factory aimed and assembled luminaires
- 30 - Galvanized steel poles
- 30 - Pre-cast concrete bases with integrated lightning grounding
- Pole length factory assembled wire harnesses
- Factory wired and tested remote electrical component enclosures
- UL listed assemblies
- Corrosion protection

Light-Structure System™ retrofit with Total Light Control – TLC for LED™ technology / Fields 1-2

System Description

- 32 - Factory aimed and assembled luminaires
- Pole length factory assembled wire harnesses
- Factory wired and tested remote electrical component enclosures
- Mounting hardware for poletop luminaire assemblies and electrical components enclosures
- Disconnects
- UL listed assemblies
- Corrosion protection

Guaranteed Lighting Performance

- Guaranteed light levels of 30 foot-candles and uniformity of 2.5:1

Control Systems and Services

- Control-Link® control and monitoring system to provide remote on/off and dimming (high/medium/low) control and performance monitoring with 24/7 customer support



Quote

Operation and Warranty Services

- Product assurance and warranty program that covers materials and onsite labor, eliminating 100% of your maintenance costs for 25 years

Musco Scope

- Provide design and layout for lighting system

Installation Services Provided

- See scope of work below

Responsibilities of Buyer

- Confirm pole or luminaire locations, supply voltage and phase required for lighting system prior to production
- Provide electrical design and materials for electrical distribution system
- Buyer is responsible for getting electrical power to the site, coordination with the utility, and any power company fees

Payment Terms

Final payment terms are subject to approval by Musco credit department. Final payment shall not be withheld by Buyer on account of delays beyond the control of Musco.

Email or fax a copy of the Purchase Order to Musco Sports Lighting, LLC:

Musco Sports Lighting, LLC
Attn: Musco Contracts
Fax: 800-734-6402
Email: musco.contracts@musco.com

**All Purchase orders should note the following:
BuyBoard Purchase – Contract Number: 677-22**

Delivery Timing

8 - 12 weeks for delivery of materials to the job site from the time of order, submittal approval, and confirmation of order details including voltage, phase, and pole/luminaire locations.

Notes

Quote is based on following conditions:

- Shipment of entire project together to one location.
- 480 Volt, 3 phase electrical system requirement.
- Structural code and wind speed = 2018 IBC, 110 mi/h, Exposure C, Importance Factor 1.0.
- Due to the built-in custom light control per luminaire, pole or luminaire locations need to be confirmed prior to production. Changes to pole or luminaire locations after the product is sent to production could result in additional charges.

Thank you for considering Musco for your lighting needs. Please contact me with any questions or if you need additional details.

Brant Troutman
Texas Field Sales Representative
Musco Sports Lighting, LLC
100 1st Avenue West – PO Box 808
Oskaloosa, IA 52577, USA
Phone: 512-914-9500
E-mail: brant.troutman@musco.com



**Schertz Soccer Complex Phase 2
Schertz, TX
Turnkey Scope of Work**

Customer Responsibilities:

1. Complete access to the site for construction using standard 2-wheel drive rubber tire equipment.
2. Locate existing underground utilities not covered by your local utilities. (i.e. water lines, electrical lines, irrigation systems, and sprinkler heads). Musco or Subcontractor will not be responsible for repairs to unmarked utilities.
3. Locate and mark field reference points per Musco supplied layout. (i.e. home plate, center of FB field)
4. Pay for extra costs associated with foundation excavation in non-standard soils (rock, caliche, high water table, collapsing holes, etc.) or soils not defined in geo-technical report. Standard soils are defined as soils that can be excavated using standard earth auguring equipment.
5. Pay any necessary power company fees and requirements.
6. Pay all permitting fees.
7. Provide area on site for disposal of spoils from foundation excavation.
8. Provide area on site for dumpsters.
9. Provide sealed Electrical Plans. (If required)

Musco Responsibilities:

1. Provide required foundations, poles, electrical enclosures, luminaires, pole harnesses, and control cabinets.
2. Provide layout of pole locations and aiming diagram.
3. Provide Project Management as required.
4. Provide stamped foundation designs based on soils defined in the geotechnical report by Raba Kistner dated March 2,2012.
5. Assist our installing subcontractor and ensure our responsibilities are satisfied.

Musco Subcontractor Responsibilities

General:

1. Provide labor, equipment, and materials to off load equipment at jobsite per scheduled delivery.
2. Provide storage containers for material, (including electrical components enclosures), as needed.
3. Provide necessary waste disposal and daily clean up.
4. Provide adequate security to protect Musco delivered products from theft, vandalism or damage during the installation.
5. Obtain any required permitting.
6. Confirm the existing underground utilities and irrigation systems have been located and are clearly marked in order to avoid damage from construction equipment. Repair any such damage during construction.
7. Keep all heavy equipment off playing fields when possible. Repair damage to grounds which exceeds that which would be expected. Indentations caused by heavy equipment traveling over dry ground would be an example of expected damage. Ruts and sod damage caused by equipment traveling over wet grounds would be an example of damage requiring repair.

Quote

8. Provide startup and aiming as required to provide complete and operating sports lighting system.
9. Installation to commence upon delivery and proceed without interruption until complete. Musco to be immediately notified of any breaks in schedule or delays.

Foundations, Poles, and Luminaires:

1. Mark and confirm pole locations per the aiming diagram provided. If there are any issues, immediately notify your Musco Project Manager.
2. Provide labor, materials, and equipment to install (30) LSS foundations as specified on Layout and per the stamped foundation drawings, if applicable.
3. Remove spoils to owner designated location at jobsite.
4. Provide labor, materials, and equipment to assemble (30) Musco TLC-LED luminaires, electrical component enclosures, poles, and pole harnesses.
5. Provide labor, equipment, and materials to erect (30) 70' dressed LSS Poles and aim utilizing the pole alignment beam.

Retrofit Musco Equipment to Existing Poles:

1. Provide labor, materials, and equipment to assemble and install Musco TLC for LED[®] equipment on (6) existing poles and terminate grounding and power feed. Power feed may need to be reworked to adapt to the new Musco equipment.
2. Ensure grounding components meet minimum standards required by NEC and NFPA780.
3. For concrete poles provide new lightning down conductor(aluminum) and ⁵/₈ in copper ground rod. For poles 75 ft (22 m) or less use 1/0 AWG, poles over 75 ft (22 m) use 4/0 AWG conductor. Bond internal pole ground to new down conductor.
4. For steel poles provide new ground rod and pole bonding conductor per NFPA Annex A.1.6.
5. Down conductor shall be converted to copper wire for any underground runs and bonded to ground rod(s).
6. Ensure all Musco components are bonded to both equipment and lightning grounds. No upward sweeps allowed for lightning down conductor or bonding jumper(s). See installation instructions for further information.
7. Test ground resistance with 3-point megger and confirm 25 ohms or less for each pole. Install additional ground rods or create grounding grid until resistance of 25 ohms or less is achieved.

Quote

Demolition:

1. Remove and dispose of the existing fixtures, and electrical enclosures. This will include the recycling of lamps, aluminum reflectors, ballast, and steel, as necessary.
2. Leave existing ground wires and power feed in place for connection to new lighting equipment.

Electrical:

1. Provide labor, materials, and equipment to reuse existing 480V/3 phase electrical service panels as required.
2. Provide labor, materials, and equipment to install all underground conduit, wiring, pull boxes etc. and terminate wiring as required.
3. Provide as-built drawings on completion of installation, **(if required)**.

Control System:

1. Provide labor, equipment, and materials to install (5) Musco Control and Monitoring cabinet(s) and terminate all necessary wiring.
2. Provide a dedicated 120 V 20 A controls circuit or a step-down transformer for 120 V control circuit if not available.
3. Check all zones to make sure they work in both auto and manual mode.
4. Commission Control-Link® by contacting Control Link Central™ at 877-347-3319.

CODE OF CONDUCT

In order to maintain a high-quality jobsite and installation, Subcontractor represents to Musco that it has the supervision necessary to, and shall train, manage, supervise, monitor, and inspect the activities of its employees for the purpose of enforcing compliance with these safety requirements. Subcontractor acknowledges that Musco does not undertake any duty toward Subcontractor's employees to train, manage, supervise, monitor, and inspect their work activities for the purpose of enforcing compliance with these safety requirements, but Subcontractor agrees to abide by any reasonable recommendations made by Musco or Musco representatives with respect to safety.

Subcontractor agrees that it is or will be familiar with and shall abide by the safety rules and regulations of Musco and the Owner, including, but not limited to the Occupational Safety and Health Act of 1970 (OSHA), all rules and regulations established pursuant thereto, and all amendments and supplements thereto.

Subcontractor further agrees to require all its employees, subcontractors, and suppliers to comply with these requirements. Subcontractor shall also observe and comply with all laws with respect to environmental protection applicable to the Project.

Subcontractor shall require all its subcontractors, employees, visitors, suppliers, and agents under its direction to comply with the following:

1. GENERAL JOBSITE SAFETY AND CLEANLINESS.

- a. Subcontractor's employees and agents shall be required to wear appropriate personal protective equipment including, but not limited to, safety glasses with side shields, work shoes, fall protection devices, and hard hats.
- b. Where a walking or working surface has an unprotected side or edge which is six feet or more above a lower level, Subcontractor shall use guardrail systems, safety net systems, or personal fall arrest systems.
- c. Jobsite shall be kept free of debris including, but not limited to, cardboard and packing materials which can become windborne.
- d. Construction equipment shall be parked during non-use in an orderly fashion so as not to create inconvenience to others using the jobsite.
- e. Subcontractor shall provide for and ensure the use of safety equipment for the Project in accordance with Musco's and Owner's safety requirements, to the extent these may be stricter than federal, state, or local standards, or generally recognized industry applicable standards.
- f. Subcontractor shall provide the Musco project manager with an "Emergency List" showing Subcontractor's designated medical doctor, hospital, insurance company, and any other health service providers, such list to be updated within 24 hours of any change in the information provided.

Quote

- g. Within eight (8) hours from the time of an accident (or such shorter period as laws may require), Subcontractor shall advise Musco of any accident resulting in injury to any person or damage to any equipment or facility. Upon request, Subcontractor shall promptly furnish Musco with a written report of any such accident as well as a copy of all insurance and worker's compensation claims involving the Project.
- h. Subcontractor shall maintain and inspect all construction equipment, including cranes and other lifting equipment, prior to each use. Subcontractor warrants that all equipment operators shall be qualified for each piece of construction equipment they intend to operate. Documentation of specific training is the responsibility of the Subcontractor.
- i. Jobsite shall be policed daily for compliance to the above conditions.
- j. Subcontractor's employees and agents are prohibited from using drugs and alcohol on the Project property or being under the influence of alcohol or drugs while performing work on the Project. Anyone observed participating in or observed under the influence will be removed from the Project immediately and prohibited from returning, with no exceptions.

2. CONFORMANCE TO STANDARD MUSCO INSTALLATION GUIDELINES.

- a. Review and understand installation instructions are provided with every product installation.
- b. Education of installation personnel to allow for highest efficiency and lowest possibility of failure.
- c. Verify that components have been assembled per Musco installation instructions.
- d. Verify plumb of concrete foundations prior to standing of poles.

3. PROVIDING A QUALITY INSTALLATION TEAM.

- a. Subcontractor's work directly reflects the quality of the installation and may indirectly relate to the quality of the product upon which Musco's reputation is built.
- b. Provide and maintain quality installation equipment. Records of maintenance and/or calibration shall be provided upon request.
- c. Personnel shall be knowledgeable in operation of equipment as well as installation of Musco product.
- d. All personnel provided by Subcontractor shall understand the relationship developed by and between Subcontractor and Musco, also by and between Musco and the customer, and act accordingly.

RESOLUTION NO. 24-R-161

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AUTHORIZING AN INCREASE IN EXPENDITURES WITH MUSCO SPORTS LIGHTING FOR THE SCHERTZ SOCCER COMPLEX LIGHTING PROJECT AND OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, City Council previously approved Resolution 24-R-100 authorizing expenditures with Musco Sports Lighting, LLC, a BuyBoard Purchasing Cooperative vendor, in an amount not to exceed \$1,843,000 for the Schertz Soccer Complex Lighting Project; and

WHEREAS, City staff has determined that a contingency amount of five percent is needed to cover change orders throughout the construction project;

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS THAT:

Section 1. The City Council hereby authorizes an increase in expenditures with Musco Sports Lighting for the Schertz Soccer Complex Lighting Project in a total not to exceed amount of \$1,935,150.

Section 2. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 3. All resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 4. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Resolution would have been enacted without such invalid provision.

Section 6. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 7. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED AND ADOPTED, this _____ day of _____, 2024.

CITY OF SCHERTZ, TEXAS

Ralph Gutierrez, Mayor

ATTEST:

Sheila Edmondson, City Secretary

(CITY SEAL)

CITY COUNCIL MEMORANDUM

City Council Meeting: December 03, 2024
Department: Public Affairs
Subject: Resolution 24-R-150 - Establishing a legislative platform and priorities for the 89th legislative session in Texas. (S.Gonzalez/L.Klepper)

BACKGROUND

The 89th Legislative Session of the Texas Legislature will convene on January 12, 2025. Ahead of this legislative session, it is important for the City of Schertz to establish a legislative platform and set clear priorities to effectively advocate for the interests and needs of our city. The 2025 Legislative Agenda focuses on supporting additional resources for vital projects, supporting policies that empower local decision-making, and opposing legislation that undermines municipal authority or imposes financial burdens on the City. The agenda includes a listing of broad areas that city staff believe are key priorities for City Council.

Approving this resolution does not limit elected officials' ability to advocate during the legislative session, but serves as a guide and communication tool for city staff when working the Texas Municipal League (TML) and our legislators. The City is still able to take action to support or oppose bills as they are introduced during the session, regardless if they are mentioned in this Resolution.

GOAL

To support and advocate for legislation that empowers local government, ensures fiscal responsibility, and promotes sustainable growth for Schertz.

COMMUNITY BENEFIT

With this legislative agenda, the City seeks to secure and protect the resources and authority necessary to continue delivering high-quality services to its residents.

SUMMARY OF RECOMMENDED ACTION

Staff recommends approval of Resolution 24-R-150, establishing a legislative platform and priorities for the 89th legislative session in Texas.

RECOMMENDATION

Staff recommends approval of Resolution 24-R-150

Attachments

Resolution 24-R-150 with Attachment

RESOLUTION NO. 24-R-150

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS ESTABLISHING A LEGISLATIVE PLATFORM AND PRIORITIES FOR THE 89TH LEGISLATIVE SESSION IN TEXAS

WHEREAS, the State of Texas 89th legislative session begins January 14, 2025; and

WHEREAS, the City Council recognizes the importance of partnering with the State of Texas to make our community even greater; and

WHEREAS, the City Council believes that active legislative engagement is an effective way to work with our state partners to ensure the interests of Schertz residents and businesses are represented and protected; and

WHEREAS, the City Council finds that it is in the public interest to provide clear legislative direction and take positions on certain issues that may arise during the 89th Texas Legislative Session; and

WHEREAS, the City Council has identified the following priorities and issues of concern as being worthy of advocacy on behalf of the people of the City of Schertz.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS THAT:

Section 1. The City of Schertz hereby adopts Attachment A as the 2025 Legislative Agenda for the City of Schertz.

Section 2. The City Manager, along with other designated city officials, is directed to actively advocate for the priorities outlined in the 2025 Legislative Agenda. Advocacy efforts may include, but are not limited to, direct communication with state legislators, participation in relevant hearings and meetings, and collaborating with other municipalities and organizations.

Section 3. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED AND ADOPTED, this ___ day of _____ 2024.

CITY OF SCHERTZ, TEXAS

Ralph Gutierrez, Mayor

ATTEST:

Sheila Edmondson, City Secretary

City of Schertz 2025 Legislative Agenda

This agenda serves as a guiding document for advocacy efforts during the 2025 legislative session.

Legislation the City of Schertz Supports

- A. Funding for Disabled Veterans Homestead Exemption (DVHS) Program
 - Advocate for dedicated state funding to offset local revenue losses caused by the DVHS program, which, while essential for disabled veterans, has placed a financial strain on our community by reducing property tax revenue needed for critical services.
- B. Funding or Additional Resources for Local Transportation/Infrastructure Projects
 - Support enhanced transportation and infrastructure funding to support growth, economic development, and improved quality of life for residents.
- C. Funding or Additional Resources for Parks and Trails Development
 - Support increased state grants and expanded use of Hotel Occupancy Tax (HOT) funds for park and trail improvements to foster community engagement and wellness.
- D. State Grant Funding for Water Resources
 - Support additional state funding to the Texas Water Development Board, as identified in the State Water Plan, to advance critical water conservation and infrastructure projects.

Legislation the City of Schertz Opposes

- A. Unfunded Mandates
 - Oppose partially or full unfunded mandates that place additional financial burdens on local budgets and divert resources away from local priorities.
- B. Erosion of Zoning Authority and Local Development Tools
 - Oppose legislation that diminishes a cities ability to determine lot sizes, parking, and density requirements in the city limits.
 - Oppose legislation that restricts the city's ability to regulate land use, including short-term rentals.
 - Oppose legislation that limits the time or authority the City has to review site plans and plats.
- C. Measures that undermine Economic Development
 - Oppose legislation that would hinder local economic development tools, including incentives or other support mechanisms critical for attracting and retaining businesses.
- D. Preemption of Local Control
 - Oppose legislation that erodes local control or weakens the ability of locally elected leaders to address unique challenges and opportunities.
 - Oppose legislation that limits city authority over extraterritorial jurisdiction (ETJ), including boundary changes, annexations, and disannexations.
 - Oppose legislation that preempts local authority to regulate activities affecting density, zoning, permitting, and inspections
- E. Restrictions on advocacy
 - Oppose efforts to restrict advocacy by the Texas Municipal League or similar organizations that advocate on behalf of local governments in Texas.

CITY COUNCIL MEMORANDUM

City Council Meeting: December 03, 2024
Department: Engineering
Subject: Resolution 24-R-160 - Authorizing a construction contract with E-Z Bel Construction for the Buffalo Valley South Project (B.James/K.Woodlee/J.Nowak)

BACKGROUND

The proposed project will replace the existing water and sanitary sewer mains and repair the streets in the Buffalo Valley South area. The Buffalo Valley South area is the neighborhood south of FM 78 that contains the following streets: 1st Street; 2nd Street; Church Street; Dowman Street; Lee Street; Mill Street; Wuest Street; and Zuehl (see attached map).

The existing water mains are old and most do not meet the current minimum pipe size. The sanitary sewer mains are also old and beginning to fail in some locations. The sewer manholes are old, hand-constructed brick manholes that are also failing. The proposed project will replace all the mains with modern materials and increase the pipe sizes to the minimum standards needed for the area and replace all the sewer manholes with new concrete ones. The new infrastructure will have a much longer service life than the existing infrastructure.

The streets in the area are in "fair" condition and were originally scheduled to be in an earlier SPAM Project for "rehabilitation." These streets were in the "rehabilitation" category because they had deteriorated past the point where they could simply be "resurfaced." They needed more work done to them than just resurfacing in order to reset their PCI to a near perfect score. The streets were removed from the earlier SPAM Project because the water and sanitary sewer mains needed to be replaced. The street work was combined with the utility replacement work to create a single project to complete everything at once, rather than have two successive projects. This results in less overall disruption to the neighborhood.

The City issued a Request for Bids (RFB) and bids were opened on November 22, 2024. A total of three bids were received ranging from \$4,817,637.93 to \$6,127,381.00. The bid package contained a Base Bid and two alternates. Alternate 1 is to pipe burst a segment of the new sanitary sewer main in Wuest St instead of trenching. A portion of the sanitary sewer main lies in an easement across developed private property. Pipe bursting this section could save some time and would be less disruptive to the property owner than trenching. Alternate 2 is to use flowable fill for trench backfill instead of allowing excavated material to be used. Flowable fill is self-compacting and would help ensure that trench settlement does not occur after the pavement is replaced.

Staff carefully reviewed the alternates and the pros and cons of awarding them. During this review it was noted that the costs of both alternates would fit within the available budget for the project. Since there are available funds for the alternates and the City will see additional benefits from construction of both alternates, Staff is recommending that the Base Bid and Alternates 1 and 2 be awarded.

Both staff and our on-call engineer have reviewed the bids and checked references on the low bidder.

Based on our analysis, Staff recommends awarding the construction contract to the low bidder, E-Z Bel Construction, for the amount of \$4,817,637.93.

GOAL

To obtain authorization from City Council to execute a construction contract with E-Z Bel Construction for \$4,817,637.93, with a not to exceed amount of \$5,300,000 for the Buffalo Valley South Project.

COMMUNITY BENEFIT

Replacement of the water and sanitary sewer mains are expected to reduce the possibility of utility failures in the neighborhood. Flows are also expected to improve, particularly since the new water mains will be appropriately sized. The street rehabilitation will replace the aging and failing asphalt surface and increase the strenght of the base material. The new street will have a longer service life and a new, smooth driving surface. The new surface will improve the driving experience for residents.

SUMMARY OF RECOMMENDED ACTION

Authorize execution of the construction contract with E-Z Bel Construction for \$4,817,637.93, with a not to exceed amount of \$5,300,000 for the Buffalo Valley South Project.

FISCAL IMPACT

Funding for the proposed project comes from a combination of General Funds earmarked for SPAM and Federal American Rescue Plan (ARP) funds. The Federal ARP funds were allocated to the City of Schertz as part of the COVID recovery effort. The ARP funds can only be used for specific project types, such as water and waste water utility replacement projects.

The funding breakdown is as follows:

Funding Source	Amount
General Fund (SPAM)	\$1,300,000
ARP Funds	\$4,000,000
Total:	\$5,300,000

RECOMMENDATION

Approve Resolution 24-R-160

Attachments

- Bid Tab Sheet
- Resolution 24-R-160 with attachments
- Buffalo Valley South PPT Presentation
- Buffalo Valley South Map

City of Schertz Bid/RFP Response Log

Project #	2024-025	Due Date	11/22/2024
Project Name	Buffalo Valley South Project	Due Time	3:00 PM

Name of Proposer	Date Received	Addendum	Base Bid	Alt 1	Alt2	Sum Total
E-Z Bel Construction	Nov 22nd 2024, 1:09 PM CST	yes	\$ 3,793,406.51	\$ 181,331.00	\$ 842,900.42	\$ 4,817,637.93
Pesado Construction Company, Inc.	Nov 22nd 2024, 2:25 PM CST	yes	\$ 5,109,513.00	\$ 253,788.00	\$ 764,080.00	\$ 6,127,381.00
R.L. Jones LP	Nov 22nd 2024, 11:23 AM CST	yes	\$ 3,585,723.00	\$ 161,688.00	\$ 1,157,955.00	\$ 4,905,366.00

RESOLUTION NO. 24-R-160

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AUTHORIZING A CONSTRUCTION CONTRACT WITH E-Z BEL CONSTRUCTION, LLC FOR THE BUFFALO VALLEY SOUTH PROJECT

WHEREAS, City Staff identified streets in the Buffalo Valley South are of the City of Schertz that needed rehabilitation; and

WHEREAS, City Staff identified that the water and sanitary sewer mains in the Buffalo South area needed replacement due to aging and substandard piping; and

WHEREAS, a construction contract and bidding package was created to retain a contractor to replace the water and sanitary sewer mains and rehabilitate the streets in the Buffalo Valley South area; and

WHEREAS, the bid package contained a Base Bid, Alternate 1 to pipe burst a segment of sanitary sewer main, and Alternate 2 to use flowable fill for backfill on the utility trenches; and

WHEREAS, the project was publicly advertised for bids in accordance with public entity procurement regulations; and

WHEREAS, three (3) bids were received and opened on November 22, 2024 for the project; and

WHEREAS, City Staff reviewed the bids received and confirmed that E-Z Bel Construction, LLC is the lowest responsible bidder for the project; and

WHEREAS, the unit prices in the bid appear reasonable compared to similar work performed on recent other projects, and

WHEREAS, the funding for the proposed is available from General Funds authorized for streets and Federal ARP funds allocated to the City of Schertz for water and waste water repair projects, and

WHEREAS, the City Council of the City of Schertz wishes to award the construction contract for the Base Bid, Alternate 1, and Alternate 2 for the Buffalo Valley South Project to E-Z Bel Construction, LLC.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS THAT:

Section 1. The City Council hereby authorizes the City Manager to execute the necessary construction contract documents in substantially the same form as attached as Exhibit A with E-Z Bel Construction, LLC, in the amount of **FOUR MILLION, EIGHT HUNDRED SEVENTEEN THOUSAND, SIX HUNDRED THIRTY SEVEN AND NINETY THREE ONE HUNDRETHS DOLLARS** (\$4,817,637.93), and a not to

exceed amount of **FIVE MILLION, THREE HUNDRED THOUSAND DOLLARS** (\$5,300,000.00) for the Buffalo Valley South Project.

Section 2. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 3. All resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 4. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Resolution would have been enacted without such invalid provision.

Section 6. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 7. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED AND ADOPTED, this ____ day of _____, 2024.

CITY OF SCHERTZ, TEXAS

Ralph Gutierrez, Mayor

ATTEST:

Sheila Edmondson, City Secretary

EXHIBIT A

Contract with E-Z Bel Construction for the Buffalo Valley South Project

**AGREEMENT
BETWEEN OWNER AND CONTRACTOR
FOR CONSTRUCTION CONTRACT (STIPULATED PRICE)**

THIS AGREEMENT is by and between City of Schertz (“Owner”) and
E-Z Bel Construction, LLC (“Contractor”).

Owner and Contractor hereby agree as follows:

ARTICLE 1 – WORK

1.01 Contractor shall complete all Work as specified or indicated in the Contract Documents. The Work is generally described as follows: Repairs to damaged/settled pavement on Trainer Hale Road.

ARTICLE 2 – THE PROJECT

2.01 The Project, of which the Work under the Contract Documents is a part, is generally described as follows: Buffalo Valley South Project.

ARTICLE 3 – ENGINEER

3.01 The part of the Project that pertains to the Work has been designed by Unintech Consulting Engineers, Inc.

3.02 The Owner has retained the City of Schertz Engineering Department and Unintech Consulting Engineers, Inc. (“Engineer”) to act as Owner’s representative, assume all duties and responsibilities, and have the rights and authority assigned to Engineer in the Contract Documents in connection with the completion of the Work in accordance with the Contract Documents.

ARTICLE 4 – CONTRACT TIMES

4.01 *Time of the Essence*

A. All time limits for Milestones, if any, Substantial Completion, and completion and readiness for final payment as stated in the Contract Documents are of the essence of the Contract. Contract Times: Days

B. If a contract is awarded for multiple schedules, the Work is expected to be substantially completed within 360 calendar days after the date when the Contract Times commence to run as provided in Paragraph 4.01 of the General Conditions, and completed and ready for final payment in accordance with Paragraph 15.06 of the General Conditions within 30 calendar days after the date of substantial completion. The number of days to substantial completion will be negotiated with the successful bidder and shall be within the range listed in this paragraph.

C. Parts of the Work shall be substantially completed on or before the following Milestone(s):
1. All work completed 390 calendar days from Notice to Proceed.

4.02 *Liquidated Damages*

- A. Contractor and Owner recognize that time is of the essence as stated in Paragraph 4.01 above and that Owner will suffer financial and other losses if the Work is not completed and Milestones not achieved within the times specified in Paragraph 4.02 above, plus any extensions thereof allowed in accordance with the Contract. The Contractor acknowledges and recognizes that the Owner is entitled to full and beneficial occupancy and use of the completed work following expiration of the Contract Time. The Contractor further acknowledges and agrees that, if the Contractor fails to substantially, or cause the Substantial Completion of any portion of the Work within the Contract time, the Owner will sustain actual damages as a result of such failure. The exact amount of such damages will be difficult to ascertain. Therefore, the Owner and Contractor agree that, if the Contractor shall neglect, fail, or refuse to achieve substantial completion of the Work by the Substantial Completion date, subject to proper extension granted by the Owner, then the Contractor agrees to pay the Owner the sum of:
1. **Six hundred dollars (\$600.00) per day** for each day in which such Work is not completed, not as penalty, but as liquidated damages, for the damages (“Liquidated Damages”) that would be suffered by Owner as a result of delay for each and every calendar day that the Contractor shall have failed to have completed the Work as required herein. The Liquidated Damages shall be in lieu of any and all other damages which may be incurred by Owner as a result of the failure of Contractor to complete within the Contract Time.

ARTICLE 5 – CONTRACT PRICE

- 5.01 Owner shall pay Contractor for completion of the Work in accordance with the Contract Documents the amounts that follow, subject to adjustment under the Contract:
- A. For all Work, at the prices stated in Contractor’s Bid, attached hereto as an exhibit. The extended prices for Unit Price Work set forth as of the Effective Date of the Contract are based on estimated quantities. As provided in Paragraph 13.03 of the General Conditions, estimated quantities are not guaranteed, and determinations of actual quantities and classifications are to be made by Engineer.

ARTICLE 6 – PAYMENT PROCEDURES

6.01 *Submittal and Processing of Payments*

- A. Contractor shall submit Applications for Payment in accordance with Article 15 of the General Conditions. Applications for Payment will be processed by Engineer as provided in the General Conditions.

6.02 *Progress Payments; Retainage*

- A. Owner shall make progress payments on account of the Contract Price on the basis of Contractor’s Applications for Payment on a monthly basis during performance of the Work as provided in Paragraph 6.02.A.1 below, provided that such Applications for Payment have been submitted in a timely manner and otherwise meet the requirements of the Contract. All such payments will be measured by the Schedule of Values established as provided in the General Conditions (and in the case of Unit Price Work based on the number of units completed) or, in the event there is no Schedule of Values, as provided elsewhere in the Contract.

1. Prior to Substantial Completion, progress payments will be made in an amount equal to the percentage indicated below but, in each case, less the aggregate of payments previously made and less such amounts as Owner may withhold, including but not limited to liquidated damages, in accordance with the Contract
 - a. 95 percent of Work completed (with the balance being retainage); and
 - b. 95 percent of cost of materials and equipment not incorporated in the Work (with the balance being retainage).
- B. Upon Substantial Completion, Owner shall pay an amount sufficient to increase total payments to Contractor to the full amount of the contract, less such amounts set off by Owner pursuant to Paragraph 15.01.E of the General Conditions, and less such amounts as the Engineer shall determine for incomplete Work, retainage applicable to such work and unsettled claims.

6.03 *Final Payment*

- A. Upon final completion and acceptance of the Work in accordance with Paragraph 15.06 of the General Conditions, Owner shall pay the remainder of the Contract Price as recommended by Engineer as provided in said Paragraph 15.06.

ARTICLE 7 – INTEREST

- 7.01 All amounts not paid when due shall bear interest at the maximum rate allowed by law, not to exceed 1% per month.

ARTICLE 8 – CONTRACTOR’S REPRESENTATIONS

- 8.01 In order to induce Owner to enter into this Contract, Contractor makes the following representations:
 - A. Contractor has examined and carefully studied the Contract Documents, and any data and reference items identified in the Contract Documents.
 - B. Contractor has visited the Site, conducted a thorough, alert visual examination of the Site and adjacent areas, and become familiar with and is satisfied as to the general, local, and Site conditions that may affect cost, progress, and performance of the Work.
 - C. Contractor is familiar with and is satisfied as to all Laws and Regulations that may affect cost, progress, and performance of the Work.
 - D. Contractor has carefully studied all: (1) reports of explorations and tests of subsurface conditions at or adjacent to the Site and all drawings of physical conditions relating to existing surface or subsurface structures at the Site, if any, that have been identified in the Supplementary Conditions, especially with respect to Technical Data in such reports and drawings, and (2) reports and drawings relating to Hazardous Environmental Conditions, if any, at or adjacent to the Site that have been identified in the Supplementary Conditions, especially with respect to Technical Data in such reports and drawings.
 - E. Contractor has considered the information known to Contractor itself; information commonly known to contractors doing business in the locality of the Site; information and observations obtained from visits to the Site; the Contract Documents; and the Site-related reports and drawings identified in the Contract Documents, with respect to the effect of such information, observations, and documents on (1) the cost, progress, and performance of the Work; (2) the means, methods, techniques, sequences, and procedures of

construction to be employed by Contractor; and (3) Contractor's safety precautions and programs.

- F. Based on the information and observations referred to in the preceding paragraph, Contractor agrees that no further examinations, investigations, explorations, tests, studies, or data are necessary for the performance of the Work at the Contract Price, within the Contract Times, and in accordance with the other terms and conditions of the Contract.
- G. Contractor is aware of the general nature of work to be performed by Owner and others at the Site that relates to the Work as indicated in the Contract Documents.
- H. Contractor has given Engineer written notice of all conflicts, errors, ambiguities, or discrepancies that Contractor has discovered in the Contract Documents, and the written resolution thereof by Engineer is acceptable to Contractor.
- I. The Contract Documents are generally sufficient to indicate and convey understanding of all terms and conditions for performance and furnishing of the Work.
- J. Contractor's entry into this Contract constitutes an incontrovertible representation by Contractor that without exception all prices in the Agreement are premised upon performing and furnishing the Work required by the Contract Documents.

ARTICLE 9 – CONTRACT DOCUMENTS

9.01 Contents

- A. The Contract Documents consist of the following:
 - 1. This Agreement (pages A-1 to A-7, inclusive).
 - 2. Performance bond (pages PB-1 to PB-3, inclusive).
 - 3. Payment bond (pages PYB-1 to PYB-3, inclusive).
 - 4. General Conditions consisting of 72 pages of a modified version of EJCDC C-700, having a title page with the general title: STANDARD GENERAL CONDITIONS OF THE CONSTRUCTION CONTRACT.
 - 5. Supplementary Conditions (pages SC-1 to SC-3, inclusive).
 - 6. Specifications as listed in the table of contents of the Project Manual.
 - 7. Drawings (not attached but incorporated by reference) consisting of 79 sheets with each sheet bearing the following general title: Buffalo Valley South.
 - 8. Addenda (numbers 1 to 1, inclusive).
 - 9. Exhibits to this Agreement (enumerated as follows):
 - a. Contractor's Bid (pages BF-1 to BF-9, inclusive).
 - b. Prohibition on Contracts with Companies Boycotting Israel (page P-1)
 - c. Summary of Work (pages 01010-1 to 01010-3)
 - d. Geotechnical Investigation Report (Report Number: SG 23 10478)
 - 10. The following which may be delivered or issued on or after the Effective Date of the Contract and are not attached hereto:
 - a. Notice to Proceed.

- b. Work Change Directives.
 - c. Change Orders.
 - d. Field Orders.
- B. The documents listed in Paragraph 9.01.A are attached to this Agreement (except as expressly noted otherwise above).
 - C. There are no Contract Documents other than those listed above in this Article 9.
 - D. The Contract Documents may only be amended, modified, or supplemented as provided in the General Conditions.

ARTICLE 10 – MISCELLANEOUS

10.01 *Terms*

- A. Terms used in this Agreement will have the meanings stated in the General Conditions and the Supplementary Conditions.

10.02 *Assignment of Contract*

- A. Unless expressly agreed to elsewhere in the Contract, no assignment by a party hereto of any rights under or interests in the Contract will be binding on another party hereto without the written consent of the party sought to be bound; and, specifically but without limitation, money that may become due and money that is due may not be assigned without such consent (except to the extent that the effect of this restriction may be limited by law), and unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under the Contract Documents.

10.03 *Successors and Assigns*

- A. Owner and Contractor each binds itself, its successors, assigns, and legal representatives to the other party hereto, its successors, assigns, and legal representatives in respect to all covenants, agreements, and obligations contained in the Contract Documents.

10.04 *Severability*

- A. Any provision or part of the Contract Documents held to be void or unenforceable under any Law or Regulation shall be deemed stricken, and all remaining provisions shall continue to be valid and binding upon Owner and Contractor, who agree that the Contract Documents shall be reformed to replace such stricken provision or part thereof with a valid and enforceable provision that comes as close as possible to expressing the intention of the stricken provision.

10.05 *Contractor's Certifications*

- A. Contractor certifies that it has not engaged in corrupt, fraudulent, collusive, or coercive practices in competing for or in executing the Contract. For the purposes of this Paragraph 10.05:
 1. "corrupt practice" means the offering, giving, receiving, or soliciting of any thing of value likely to influence the action of a public official in the bidding process or in the Contract execution;
 2. "fraudulent practice" means an intentional misrepresentation of facts made (a) to influence the bidding process or the execution of the Contract to the detriment of

Owner, (b) to establish Bid or Contract prices at artificial non-competitive levels, or (c) to deprive Owner of the benefits of free and open competition;

3. "collusive practice" means a scheme or arrangement between two or more Bidders, with or without the knowledge of Owner, a purpose of which is to establish Bid prices at artificial, non-competitive levels; and
4. "coercive practice" means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the bidding process or affect the execution of the Contract.

B. Certifications required by State Law

1. *Non-Boycott of Energy.* Contractor certifies that either (a) it does not boycott Israel and will not boycott energy companies; and (b) will not boycott energy companies during the term of the contract resulting from this solicitation. Contractor shall state any facts that make it exempt from the boycott certification as an attachment to this agreement.
2. *Non-Boycott of Firearm Entity.* Contractor certifies that it: (a) does not have a practice, policy, guidance, or directive that discriminates against a firearm entity or firearm trade association; and (b) will not discriminate during the term of the contract against a firearm entity or firearm trade association.

10.06 *Other Provisions*

- A. Owner stipulates that if the General Conditions that are made a part of this Contract are based on EJCDC® C-700, Standard General Conditions for the Construction Contract, published by the Engineers Joint Contract Documents Committee®, and if Owner is the party that has furnished said General Conditions, then Owner has plainly shown all modifications to the standard wording of such published document to the Contractor, through a process such as highlighting or "track changes" (redline/strikeout), or in the Supplementary Conditions.

IN WITNESS WHEREOF, Owner and Contractor have signed this Agreement.

This Agreement will be effective on _____ (which is the Effective Date of the Contract).

OWNER:

CONTRACTOR:

City of Schertz _____

E-Z Bel Construction, LLC _____

By: Steve Williams _____

By: _____

Title: City Manager _____

Title: _____

(If Contractor is a corporation, a partnership, or a joint venture, attach evidence of authority to sign.)

Attest: _____

Attest: _____

Title: _____

Title: _____

Address for giving notices:

Address for giving notices:

1400 Schertz Parkway _____

203 Ricoleta _____

Schertz, TX 78154 _____

San Antonio, TX 78216 _____

License No.: _____

(where applicable)

(If Owner is a corporation, attach evidence of authority to sign. If Owner is a public body, attach evidence of authority to sign and resolution or other documents authorizing execution of this Agreement.)

ARTICLE 1 – BID RECIPIENT

1.01 This Bid is submitted to:

**PURCHASING AND ASSET MANAGER
CITY OF SCHERTZ
1400 SCHERTZ PKWY, ADMIN BLDG2
SCHERTZ, TX 78154**

1.02 The undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into an Agreement with Owner in the form included in the Bidding Documents to perform all Work as specified or indicated in the Bidding Documents for the prices and within the times indicated in this Bid and in accordance with the other terms and conditions of the Bidding Documents.

ARTICLE 2 – BIDDER’S ACKNOWLEDGEMENTS

2.01 Bidder accepts all of the terms and conditions of the Instructions to Bidders, including without limitation those dealing with the disposition of Bid security. This Bid will remain subject to acceptance for 60 days after the Bid opening, or for such longer period of time that Bidder may agree to in writing upon request of Owner.

ARTICLE 3 – BIDDER’S REPRESENTATIONS

3.01 In submitting this Bid, Bidder represents that:

A. Bidder has examined and carefully studied the Bidding Documents, and any data and reference items identified in the Bidding Documents, and hereby acknowledges receipt of the following Addenda:

<u>Addendum No.</u>	<u>Addendum, Date</u>
<u>1</u>	<u>Nov 18, 2024</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>

B. Bidder has visited the Site, conducted a thorough, alert visual examination of the Site and adjacent areas, and become familiar with and satisfied itself as to the general, local, and Site conditions that may affect cost, progress, and performance of the Work.

C. Bidder is familiar with and has satisfied itself as to all Laws and Regulations that may affect cost, progress, and performance of the Work.

D. Bidder has carefully studied all: (1) reports of explorations and tests of subsurface conditions at or adjacent to the Site and all drawings of physical conditions relating to existing surface or subsurface structures at the Site that have been identified in the Supplementary Conditions, especially with respect to Technical Data in such reports and drawings, and (2) reports and drawings relating to Hazardous Environmental Conditions, if any, at or adjacent to the Site that have been identified in the Supplementary Conditions, especially with respect to Technical Data in such reports and drawings.

- E. Bidder has considered the information known to Bidder itself; information commonly known to contractors doing business in the locality of the Site; information and observations obtained from visits to the Site; the Bidding Documents; and any Site-related reports and drawings identified in the Bidding Documents, with respect to the effect of such information, observations, and documents on (1) the cost, progress, and performance of the Work; (2) the means, methods, techniques, sequences, and procedures of construction to be employed by Bidder; and (3) Bidder's safety precautions and programs.
- F. Bidder agrees, based on the information and observations referred to in the preceding paragraph, that no further examinations, investigations, explorations, tests, studies, or data are necessary for the determination of this Bid for performance of the Work at the price bid and within the times required, and in accordance with the other terms and conditions of the Bidding Documents.
- G. Bidder is aware of the general nature of work to be performed by Owner and others at the Site that relates to the Work as indicated in the Bidding Documents.
- H. Bidder has given Engineer written notice of all conflicts, errors, ambiguities, or discrepancies that Bidder has discovered in the Bidding Documents, and confirms that the written resolution thereof by Engineer is acceptable to Bidder.
- I. The Bidding Documents are generally sufficient to indicate and convey understanding of all terms and conditions for the performance and furnishing of the Work.
- J. The submission of this Bid constitutes an incontrovertible representation by Bidder that Bidder has complied with every requirement of this Article, and that without exception the Bid and all prices in the Bid are premised upon performing and furnishing the Work required by the Bidding Documents.

ARTICLE 4 – BIDDER'S CERTIFICATION

4.01 Bidder certifies that:

- A. This Bid is genuine and not made in the interest of or on behalf of any undisclosed individual or entity and is not submitted in conformity with any collusive agreement or rules of any group, association, organization, or corporation;
- B. Bidder has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid;
- C. Bidder has not solicited or induced any individual or entity to refrain from bidding; and
- D. Bidder has not engaged in corrupt, fraudulent, collusive, or coercive practices in competing for the Contract. For the purposes of this Paragraph 4.01.D:
 - 1. "corrupt practice" means the offering, giving, receiving, or soliciting of any thing of value likely to influence the action of a public official in the bidding process;
 - 2. "fraudulent practice" means an intentional misrepresentation of facts made (a) to influence the bidding process to the detriment of Owner, (b) to establish bid prices at artificial non-competitive levels, or (c) to deprive Owner of the benefits of free and open competition;
 - 3. "collusive practice" means a scheme or arrangement between two or more Bidders, with or without the knowledge of Owner, a purpose of which is to establish bid prices at artificial, non-competitive levels; and

4. "coercive practice" means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the bidding process or affect the execution of the Contract.

ARTICLE 5 – BASIS OF BID

- 5.01 Bidder will complete the Work in accordance with the Contract Documents for the following price(s):

BASE BID SCHEDULE--BUFFALO VALLEY SOUTH IMPROVEMENTS					
Item No.	Description	Unit	Estimated Quantity	Bid Unit Price	Bid Price
1	Mobilization	LS	1	300,000.00	300,000.00
2	Traffic Control and Regulation	LS	1	30,000.00	30,000.00
3	Storm Water Pollution Control	LS	1	2,500.00	2,500.00
4	Site Restoration (Utility Construction)	LF	10,394	5.00	51,970.00
5	Precast Manholes (0--6ft deep) (60-in)	EA	17	23,000.00	391,000.00
6	Precast Manholes (drop) (0--6ft deep) (60-in)	EA	4	23,000.00	92,000.00
7	Precast Manholes (extra depth)	VF	91	210.00	19,110.00
8	Meter Box	EA	65	250.00	16,250.00
9	Adjust Manhole and Frame and Cover	EA	1	4,500.00	4,500.00
10	Remove Asphalt Pavement (complete)	SY	17,461	4.00	69,844.00
11	Remove Concrete Sidewalk and Driveway	SY	43	5.00	215.00
12	Remove Concrete Curbs, Gutters	LF	1,416	2.00	2,832.00
13	Remove Manhole	EA	1	2,500.00	2,500.00
14	Abandon Sewer (6 in dia VCP)	LF	2,244	10.00	22,440.00
15	Abandon Sewer (8in dia. VCP, grout filled)	LF	565	15.00	8,475.00
16	Abandon Sewer (8in dia. VCP)	LF	1,677	10.00	16,770.00
17	Abandon Sewer Manhole	EA	11	2,200.00	24,200.00
18	Trench Safety System	LF	10,394	1.00	10,394.00
19	Water Pipe (PVC C900 DR14) (Complete) (Open Cut) (8 in)	LF	4,606	120.00	552,720.00
20	Water Pipe (PVC C900 DR14) (Complete) (Open Cut) (12in)	LF	50	165.00	8,250.00
21	Water Pipe (PVC C900 DR14) (Complete) (Open Cut w/18 in STL Casing) (8 in)	LF	160	350.00	56,000.00
22	Water Interconnection (Complete) (12 in)	EA	4	7,100.00	28,400.00
23	Water Interconnection (Complete) (16 in)	EA	1	7,100.00	7,100.00
24	Water Tap (3/4 in - 1 in) (short side)	EA	33	1,450.00	47,850.00
25	Water Tap (3/4 in - 1 in) (long side)	EA	32	2,500.00	80,000.00
26	Water Cut, Plug, Abandon (2 in)	EA	7	1,700.00	11,900.00
27	Water Cut, Plug, Abandon (6 in)	EA	13	1,600.00	20,800.00
28	Fire Hydrant Assembly (Complete)	EA	7	9,000.00	63,000.00
29	Salvage Fire Hydrant	EA	6	2,500.00	15,000.00
30	Gate Valves (8 in)	EA	17	4,400.00	74,800.00
31	Gate Valves (12 in)	EA	1	5,500.00	5,500.00
32	Blow Off Valve (2 in) (Temporary)	EA	3	2,500.00	7,500.00
33	Blow Off Valve (2 in) (Permanent)	EA	4	4,200.00	16,800.00
34	Water Meter (Complete) (3/4 in)	EA	65	500.00	32,500.00
35	Sanitary Sewer (PVC SDR 26) (8 in)	LF	5,578	98.00	546,644.00
36	Sanitary Sewer Service Reconnect (>5ft)	LF	1,563	120.00	187,560.00
37	HMAC Type D (3 in)	TON	2,852	119.00	339,388.00
38	Prime Coat	GAL	3,455	3.69	12,748.95
39	Tack Coat	GAL	1,728	3.27	5,650.56
40	Concrete Paving (6")	SY	162	140.00	22,680.00
41	Concrete Driveways	SY	98	91.00	8,918.00

BASE BID SCHEDULE--BUFFALO VALLEY SOUTH IMPROVEMENTS					
Item No.	Description	Unit	Estimated Quantity	Bid Unit Price	Bid Price
42	Curb	LF	1,295	35.00	45,325.00
43	Sawtooth Curb	LF	113	30.00	3,390.00
44	Flush Curb	LF	994	20.00	19,880.00
45	Cement Treatment (8 in Reclaimed Base)	SY	1,7438	29.00	505,702.00
46	End of Street Barricade	LF	48	50.00	2,400.00
Total of All Base Bid Items					\$ 3,793,406.51

ADDITIVE ALTERNATE # 1 BID SCHEDULE--BUFFALO VALLEY SOUTH IMPROVEMENTS					
Item No.	Description	Unit	Estimated Quantity	Bid Unit Price	Bid Price
47	Mobilization	LS	1	20,000.00	20,000.00
48	Traffic Control and Regulation	LS	1	5,000.00	5,000.00
49	Storm Water Pollution Control	LS	1	1,200.00	1,200.00
50	Site Restoration (Utility Construction)	LF	388	5.00	1,940.00
51	Precast Manholes (0--6ft deep) (60-in)	EA	3	25,000.00	75,000.00
52	Precast Manholes (extra depth)	VF	5	300.00	1,500.00
53	Remove Manhole	EA	3	2,250.00	6,750.00
54	Television Inspection Existing Sewer Main (8 in dia)	LF	388	3.25	1,261.00
55	Sanitary Sewer Service Reconnect (w/o Stacks) (< 5-ft)	EA	4	2,000.00	8,000.00
56	Pipe Bursting (8in dia.) (HDPE, DR 17 IPS)	LF	388	110.00	42,680.00
57	Point Repair (8 in dia.)	LF	60	300.00	18,000.00
Total of All Add Alt 1 Bid Items					\$ 181,331.00

ADDITIVE ALTERNATE # 2 BID SCHEDULE--BUFFALO VALLEY SOUTH IMPROVEMENTS					
Item No.	Description	Unit	Estimated Quantity	Bid Unit Price	Bid Price
58	Flowable Fill (Low Strength) (Utility Backfill) (Water)	CY	1,578	185.62	292,908.36
59	Flowable Fill (Low Strength) (Utility Backfill) (Sewer)	CY	2,963	185.62	549,992.06
Total of All Add Alt 2 Bid Items					842,900.42

Base Bid \$ 3,793,406.51
 Add Alt 1 \$ 181,331.00
 Add Alt 2 \$ 842,900.42
Sum Total \$ 4,817,637.93

Bidder acknowledges that (1) each Bid Unit Price includes an amount considered by Bidder to be adequate to cover Contractor's overhead and profit for each separately identified item, and (2) estimated quantities are not guaranteed, and are solely for the purpose of comparison of Bids, and final payment for all unit price Bid items will be based on actual quantities, determined as provided in the Contract Documents.

ARTICLE 6 – TIME OF COMPLETION

- 6.01 Bidder agrees that the Work will be complete in accordance with Article 4 of the Agreement.
- 6.02 Bidder accepts the provisions of the Agreement as to liquidated damages.

ARTICLE 7 – ATTACHMENTS TO THIS BID

- 7.01 The following documents are submitted with and made a condition of this Bid:
 - A. Required Bid security;
 - B. List of Proposed Subcontractors;
 - C. List of Proposed Suppliers;
 - D. List of Project References;
 - E. Proposed Project Schedule;
 - F. Evidence of authority to do business in the state of the Project; or a written covenant to obtain such license within the time for acceptance of Bids;
 - G. Required Bidder Qualification Statement with supporting data;
 - H. Form 1295 – Certificate of Interested Parties (Bidder must complete the form online at www.ethics.state.tx.us/File); and
 - I. Prohibition on Contracts with Companies Boycotting Israel.

ARTICLE 8 – DEFINED TERMS

The terms used in this Bid with initial capital letters have the meanings stated in the Instructions to Bidders, the General Conditions, and the Supplementary Conditions.

ARTICLE 9 – BID SUBMITTAL

BIDDER: *[Indicate correct name of bidding entity]*

E-Z Bel Construction, LLC

By:

[Signature]



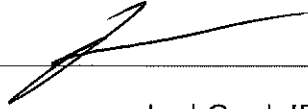
[Printed name]

Randy Hood

(If Bidder is a corporation, a limited liability company, a partnership, or a joint venture, attach evidence of authority to sign.)

Attest:

[Signature]



[Printed name]

Joel Guel JR.

Title:

JR Estimator

Submittal Date:

November 22, 2024

Address for giving notices:

203 Recoleta, San Antonio, Texas 78216

Telephone Number:

210-736-6595

Fax Number:

210-735-1842

Contact Name and e-mail address:

Adam Shrek, Chief Estimator

adamshrek@ezbel.com

Bidder's License No.:

N/A

(where applicable)

RESOLUTION 24-R-160

BUFFALO VALLEY SOUTH CONSTRUCTION CONTRACT AWARD

December 3, 2024 City Council Meeting

John Nowak | Assistant City Engineer

SCHERTZ
COMMUNITY. SERVICE. OPPORTUNITY.

PROJECT AREA



BID RESULTS

November 22, 2024

- Three bids received
- Ranged from \$4,817,637.93 to \$6,127,381.00 (for base bid plus both alternates)
- Alternate 1 ranged from \$161,688.00 to \$253,788.00 (pipe bursting on one section of sewer main instead of trenching)
- Alternate 2 ranged from \$764,080.00 to \$1,157,955.00 (flowable fill backfill instead of using excavated material)
- One bidder was low on the base bid and alternate 1, while another bidder was low on alternate 2

RECOMMENDATION

Award Construction contract to EZ-Bel Construction, LLC

- Award based bid, plus alternates 1 and 2.
- Contract amount \$4,817,637.93 and not to exceed amount \$5,300,000.00

Funding

- ARP Funds (utility replacement): \$4,000,000.00
- General Funds for streets: \$1,300,000.00
- Total: \$5,300,000.00

Estimated Construction Start

- Early 2025

Estimated Construction End

- Late 2025

COMMENTS AND QUESTIONS

CONTACT US

Mailing Address

1400 Schertz Parkway, Schertz, TX 78154

Phone Number

(210) 619-1820

Email Address

engineering@schertz.com

CITY COUNCIL MEMORANDUM

City Council Meeting: December 03, 2024
Department: Executive Team
Subject: Application for Landmark Property Designation - Consideration of a Landmark Property Designation for the Schertz-Cibolo Cemetery, which is located at 93 Bubbling Springs Road. (S.Williams/B.James).

BACKGROUND

The Schertz Historical Preservation Committee (SHPC) received an application for Landmark Property designation for 93 Bubbling Springs Road, the site of the Schertz-Cibolo Cemetery. At their October 23, 2024, meeting, the SHPC voted in favor of bestowing the Landmark Property designation on 93 Bubbling Springs Road. The Landmark Property designation does not trigger any State or City regulations or restrictions.

GOAL

To recognize the places that are meaningful to the history of the community.

COMMUNITY BENEFIT

Foster a sense of pride and promote awareness of the community's history.

SUMMARY OF RECOMMENDED ACTION

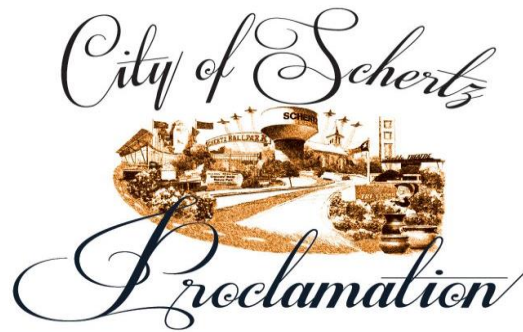
The Schertz Historical Preservation Committee recommends the Schertz-Cibolo Cemetery at 93 Bubbling Springs Road as a Landmark Property.

RECOMMENDATION

Designate 93 Bubbling Springs Road as a Landmark Property.

Attachments

Proclamation
Landmark Property Application
Cemetery Background



Landmark Property Designation

Schertz-Cibolo Cemetery

93 Bubbling Springs Road

DECEMBER 3 , 2024

WHEREAS, The City of Schertz and the Schertz Historical Preservation Committee (SHPC) feel it important to recognize places that represent unique features of the City landscape either by their nostalgic, aesthetic, architectural, historic or symbolic character; and

WHEREAS, The City of Schertz specifically desires to recognize and promote awareness of those places that comprise the most valued historic elements of the community's past through increased awareness of their existence; and

WHEREAS, The City of Schertz desires to recognize places that represent unique features of the City landscape, neighborhood development, aesthetic architectural, or symbolic character, through the creation of either heritage neighborhoods or landmark property designations; and

WHEREAS, The heritage neighborhood and/or landmark property designations shall be of such a nature as to be free of the designation status as per Chapter 442, Section 315.006, of the Texas Government Code; and

WHEREAS, A Dietz' family land deed from 1908 expressly sets aside a one acre parcel of land for a cemetery with instructions it never be sold; and

WHEREAS, The oak trees, which are now approaching 300 years old, continue to symbolically embrace those first farmworker families and provide enduring shade for descendants and visitors to the burial ground today; and

WHEREAS, Ottomar "Pat" Dietz, grandson to Ferdinand Dietz, deeded the cemetery property over to the Schertz-Cibolo Cemetery Association in 1973 and the Association bought an adjacent two acres from the Dietz family in 1982; and

WHEREAS, The catastrophic flood of 1998 caused damage to fragile grave markers as well as to the grounds of the cemetery. Several of the older, more fragile tombstones were not able to be recovered; and

WHEREAS, The descendants of these early farmworkers have become professionals in their respective fields and businesses as well as becoming officers in all branches of the US military. They have maintained a strong bond to this cemetery with their volunteerism and, through their efforts, have maintained the honor and respect of this ancestral resting place.

**NOW, THEREFORE, I, Ralph Gutierrez, Mayor of the City of Schertz, Texas do hereby
proclaim,**

**93 Bubbling Springs Road, Schertz Texas the site of Schertz-Cibolo Cemetery
as a Landmark Property.**

I encourage all residents of the City of Schertz to recognize and honor the importance of this place in our great
city.

IN TESTIMONY WHEREOF, I have signed
my name officially and caused the Seal of the
City of Schertz to be affixed on this the 3rd of
December 2024.

Ralph Gutierrez, Mayor

Application for Landmark Property or Heritage Neighborhood Designation

Name of Applicant/Nominator:	Schertz-Cibolo Cemetery Association
Address	93 Bubbling Springs Rd
City	
State	
Zip Code	
Phone Number	
Email Address	
Nomination For (Check One):	<input checked="" type="checkbox"/> Landmark Property
Statement of Justification	<p>The Schertz-Cibolo Cemetery was created in the early 1900s from the farmstead of Ferdinand and Elizabeth (Stapper) Dietz. They were among initial farm families to the Cibolo Valley. The sentinel event, captured by personal records and oral history, was the passing of a young female, daughter of one of the farm worker families. A proper burial place was not available in those early years, so Mr. Dietz marked off an area of his farm where the workers could bury their loved ones. The cemetery remains active today and is the only public cemetery in Schertz. We are proud to have received a Texas Historical Marker which recognizes the importance of the farm worker families to the development of Schertz. Another side note regarding Schertz' history, is that one of Ferdinand Dietz daughters, Bertha, married Adolph Schertz, owner of a cotton gin as well as the first telephone company. Detailed information may be found on our website: sccemetery.com</p>

Schertz-Cibolo Cemetery. NE San Antonio

The Cemetery Story

The origin of this cemetery stems from the coming together of two waves of immigration, one from Germany and the other from Mexico. They came together to this part of Texas with the idea of fulfilling the same dream; to chart their own course in improving their lives and those of their families. The first immigration wave came from Germany in the mid 1800's. Brothers Ferdinand and August Dietz initially bought 500 acres out of the Genobeva Malpaz Survey (Texas land grant) which is now mostly developed into the Lone Oak Subdivision. A farmstead is created by clearing the land and farming supports the family's needs. The Galveston, Harrisburg and San Antonio railroad line also is established in the 1870's which connects San Antonio to Austin with local stops in Converse, Schertz, Cibolo and Marion and passes over the northern section of the Dietz' farm. The railroad stimulates the creation of more farms, and the advent of the cotton gin also makes it easier to process more cotton. Prior to the cotton gin, one bale of cotton was produced per day. After the introduction of the steam powered cotton gin, 100 bales of cotton could be produced in one day. Soon, cotton and corn are the predominant and profitable staples and, if the farms are to expand, a reliable labor force is needed.

The second immigration wave begins in the early 1900s, this time from Mexico. With political unrest at home (the Mexican Revolution) and work available in Texas, Mexican families now work hand in hand with the German families and the rural communities of Schertz and Cibolo begin to grow and prosper. Among the first families that come to work on the Dietz' farm and settle in the community are the Arizpe, Del Toro and Bermea families. Records show these families came from the small town of Rosales, (now Villa Union), Coahuila, Mexico and found comfort and strength in traversing south Texas together. The entry point was through Eagle Pass. The arrival of additional farmworkers and families stimulated local businesses, such as mercantile, banking and jobs supporting the farm including blacksmithing.

Oral history tells us that upon the death of a female child of one of the farmworker families, there was not a proper burial place for her. There were no community cemeteries in the area at the time. Most people are buried on private family farmsteads. Mr. Dietz (Ferdinand), took it upon himself to mark off an area of his farm for a burial ground located near the creek and under some majestic oak trees. It is said, this was also the area where the workers would eat lunch and take their breaks from the strenuous work. Because of this gesture, Mr. Dietz was respectfully remembered as "buena gente" or "a good man". A Dietz' family land deed from 1908 expressly sets aside this one acre parcel of land for a cemetery with instructions it never be sold. The farmworkers now had a place to bury their loved ones and burials have continued to the present day. The oak trees, which are now approaching 300 years old, continue to symbolically embrace those first farmworker families and provides enduring shade for descendants and visitors to the burial ground today.

The orientation of the tombstones in this cemetery is in a traditional east-facing direction conforming with Christian beliefs. The northeast section was initially set aside as the burial site for infants and babies. The earliest legible tombstone is that of Tomas Arizpe who died in 1925 at the age of 15 due to a ruptured appendix. He was the son of Tomas and Juana Arizpe, one of

the first arriving Mexican families. There is evidence of earlier burials, however, time has overtaken these grave markers, and their identities are presently unknown. Many of the early tombstones were made of concrete and appear to have been hand-made and hand-etched and some include tile inlay. You will also find some gravesites from the 1920's decorated with seashells. The use of seashells as a decoration has different meanings around the world. One is that it represents an ancient Christian symbol referring to religious pilgrimages and spiritual protection. In very heavy rains, the Cibolo Creek can overflow its bank. The catastrophic flood of 1998 caused damage to fragile gravemarkers as well as to the grounds of the cemetery. Several of the older, more fragile tombstones were not able to be recovered. All of the original wooden crosses and many ornate grave markers were swept away. The volunteers of the cemetery association came together and were able to repair much of the damage and re-set many of the tombstones. Fundraisers, usually dances, were held in the 1970's and 80's which helped to bring in needed funds during those years.

Ottomar "Pat" Dietz, grandson to Ferdinand Dietz, deeded the cemetery property over to the Schertz-Cibolo Cemetery Association in 1973 and the Association bought an adjacent two acres from the Dietz family in 1982. Through the decades, this cemetery has been referred by various names including Cibolo Cemetery, Dietz Cemetery, the Spanish or Hispanic Cemetery among other names. However, it is the Schertz-Cibolo Cemetery, a designated Texas Historic Cemetery, and all the original people buried here were farm workers of Mexican descent. The descendants of these early farmworkers have become professionals in their respective fields and businesses as well as becoming officers in all branches of the US military. They have maintained a strong bond to this cemetery with their volunteerism and, through their efforts, have maintained the honor and respect of this ancestral resting place. The most recent Presidents for the cemetery include Natividad "Tivi" Medina (1934-2014), Guadalupe "Lupe" del Toro (1939-2018) and, presently Miguel Arizpe Vazquez, MD

From Miguel A. Vazquez, MD

CITY COUNCIL MEMORANDUM

City Council Meeting: December 03, 2024

Department: Planning & Community Development

Subject: Ordinance 24-S-170 - Conduct a public hearing and consider a request for a Specific Use Permit to allow Mixed-Use Self-Storage in General Business (GB) on approximately 2.2 acres of land, located along the IH-35 North access road, near the intersection of Cibolo Valley Drive, more specifically known as a portion of Guadalupe County Property Identification Number 185564, City of Schertz, Guadalupe County, Texas. (B.James/L.Wood/W.Willingham)

BACKGROUND

The applicant is requesting a Specific Use Permit to allow Mixed-Use Self-Storage in General Business District (GB) on approximately 3.65 acres of land. The subject property is currently undeveloped and not platted. Unified Development Code Article 16 defines Mixed-Use Self-Storage as a climate-controlled building containing ground floor retail, service, or office space with separate, individual storage units for rent or lease. The conduct of sales, business, or any activity other than storage shall be prohibited within the individual storage units and such buildings shall be a minimum of 45 feet in height.

As per UDC Section 21.5.8, a Specific Use Permit is required for Mixed-Use Self-Storage in General Business District (GB). More specifically, the applicant is proposing a 4 Story Mixed-Use Self-Storage building to include approximately 2,250 square feet of retail/office flex space at the rear of a larger development that includes commercial retail strip along the IH-35 North access road.

On October 23, 2024, four (4) public hearing notices were mailed to the surrounding property owners within a 200-foot boundary of the subject property. At the time of the staff report, zero (0) responses in favor, zero (0) responses neutral, and zero (0) responses in opposition have been received. A public hearing notice was published in the "San Antonio Express" on November 13, 2024. Additionally, two (2) notification signs were placed on the property along the IH-35 access road by the applicant. The Planning and Zoning Commission met on November 6, 2024 and held a public hearing on the item.

GOAL

The proposed Specific Use Permit is to allow Mixed-Use Self-Storage in General Business District (GB) on approximately 3.65 acres of land.

COMMUNITY BENEFIT

It is the City's desire to promote safe, orderly, efficient development and ensure compliance with the City's vision of future growth.

SUMMARY OF RECOMMENDED ACTION

A Specific Use Permit allows for discretionary City Council approval of uses with unique or widely varying operating characteristics or unusual site development features, subject to the terms and conditions set forth in the Unified Development Code. Approval of a Specific Use Permit allows the applicant to submit subsequent development applications consistent with the approved Specific Use Permit.

When evaluating Specific Use Permits, Staff uses the criteria for approval listed in UDC Section 21.5.11.D. The criteria for approval are listed below.

1. The proposed use at the specified location is consistent with the policies of the adopted Comprehensive Land Plan, or any other applicable adopted plans;

The proposed Specific Use Permit for Mixed-Use Self-Storage is consistent with the policies of the adopted Comprehensive Land Plan. The Comprehensive Land Plan designates this subject property as Regional Corridor. The Regional Corridor land use type is intended for commercial and entertainment areas along major thoroughfares that serve populations within the city and the broader region. This includes regional shopping centers, department stores, and office buildings to include limited industrial and logistics uses, which are currently existing uses in the Regional Corridor land use type. The applicant is proposing a 4-story Mixed-Use Self-Storage building to include a retail/office flex space at the rear of a larger development that includes a commercial retail strip along the IH-35 North access road.

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. These businesses are usually located on appropriately designed and attractively landscaped sites along principal transportation corridors. The proposed Specific Use Permit to allow Mixed-Use Self-Storage allows for retail and offices on the first floor of a multi-level enclosed storage facility located along the IH-35 access road.

3. The proposed use is compatible with and preserves the character and integrity of adjacent developments and neighborhoods;

The subject property is surrounded by other General Business District (GB) properties and is compatible with the surrounding properties. To the east of the subject property exists a QT zoned General Business (GB) with an approved SUP to permit a convenience store with gas pumps, while approximately 140 feet west of the property exists an electrical substation. The parcel of land to the north and west of this property is also zoned as Manufacturing District-Light (M-1) further north from the IH-35 frontage.

4. The proposed use will not adversely affect the overall health, safety, or 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. Due to the existing General Business District (GB) zoning of the surrounding properties and the location of the subject property on IH-35, the proposed Specific Use Permit to allow Mixed-Use Self-Storage in General Business District (GB) would not pose an adverse impact on adjacent properties.

The City of Schertz Fire, EMS, and Police Departments have been notified of the specific use permit and have not provided objections.

5. Whether other factors are deemed relevant and important in the consideration of the Specific

Use Permit;

Staff has ensured all Unified Development Code requirements have been met for the proposed Specific Use Permit. The public hearing is an environment where the City Council can discuss other criteria relevant to the consideration of the Specific Use Permit.

RECOMMENDATION

Staff recommends approval of Ordinance 24-S-170, the Specific Use Permit to allow Mixed-Use Self-Storage at the subject property, conditioned upon the following:

1. A building permit is approved within two (2) years of the adoption of the SUP ordinance in accordance with Unified Development Code Article 5, Section 21.5.11.F Expiration of Specific Use Permit.
2. Twenty (20%) of the useable square footage of the first floor of the proposed Mixed-Use Self-Storage building be for office, service, or retail space, separate from the individual units for rent or lease.

The Planning and Zoning Commission met on November 6, 2024, and made a recommendation of approval with conditions as presented by Staff, to City Council, with a 4-0 vote.

Attachments

Ord. 24-S-170 with attachments
Aerial Exhibit
Public Hearing Notice Map
Metes and Bounds
City Council Presentation Slides

ORDINANCE NO. 24-S-170

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS TO APPROVE A SPECIFIC USE PERMIT TO ALLOW FOR MIXED-USE SELF-STORAGE ON APPROXIMATELY 3.65 ACRES OF LAND, LOCATED ALONG THE IH-35 NORTH ACCESS ROAD, NEAR THE INTERSECTION OF CIBOLO VALLEY DRIVE, MORE SPECIFICALLY KNOWN AS A PORTION OF GUADALUPE COUNTY PROPERTY IDENTIFICATION NUMBER 185564, SCHERTZ, GUADALUPE COUNTY, TEXAS.

WHEREAS, an application for a Specific Use Permit to allow Mixed-Use Self-Storage on approximately 3.65 acres of land, along the IH-35 North access road, near the intersection of Cibolo Valley Drive, more specifically known as a portion of Guadalupe County Property ID 185564, more specifically described in Exhibit A (herein, the “Property”) has been filed with the City; and

WHEREAS, the City’s Unified Development Code Section 21.5.11. D. provides for certain criteria to be considered by the Planning and Zoning Commission in making recommendations to City Council and by City Council in considering final action on a requested specific use permit (the “Criteria”); and

WHEREAS, on November 6, 2024, the Planning and Zoning Commission conducted a public hearing and, after considering the Criteria, made a recommendation to City Council to approve the Specific Use Permit for Mixed-Use Self-Storage; and

WHEREAS, on December 3, 2024, the City Council conducted a public hearing and after considering the Criteria and recommendation by the Planning and Zoning Commission, determined that the requested Specific Use Permit be approved as provided for herein.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS THAT:

Section 1. A Specific Use Permit for Guadalupe County Property ID 185564, more particularly described in the attached Exhibit A, is hereby approved to allow Mixed-Use Self-Storage conditioned upon the following occurring:

- a) A building permit is approved within two (2) years of the adoption of the SUP Ordinance in accordance with Unified Development Code Article 5, Section 21.5.11.F Expiration of Specific Use Permit.
- b) Twenty (20%) of the usable square footage of the first floor of the proposed Mixed-Use Self-Storage building be for office, service, or retail space, separate from the individual self-storage units for rent or lease.

Section 2. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

Section 3. All ordinances and codes, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and

the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.

Section 4. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City hereby declares that this Ordinance would have been enacted without such invalid provision.

Section 6. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

Section 7. This Ordinance shall be effective upon the date of final adoption hereof and any publication required by law.

Section 8. This Ordinance shall be cumulative of all other ordinances of the City of Schertz, and this Ordinance shall not operate to repeal or affect any other ordinances of the City of Schertz except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which event such conflicting provisions, if any, are hereby repealed.

PASSED, APPROVED and ADOPTED on this ___ day of _____, 2024.

CITY OF SCHERTZ, TEXAS

Ralph Gutierrez, Mayor

ATTEST:

Sheila Edmondson, City Secretary

(city seal)

Exhibit "A"
Property Description- Legal Metes and Bounds

METES AND BOUNDS DESCRIPTION
FOR A**3.651 ACRE TRACT****State of Texas**
County of Guadalupe

FIELDNOTES, FOR A 3.651 ACRE, OR 159,024 SQUARE FEET MORE OR LESS, TRACT SITUATED IN THE JACOB DE CORDOVA SURVEY NO. 514, ABSTRACT 117, GUADALUPE COUNTY, TEXAS; BEING THE REMAINING PORTION OF A CALLED 6.85 ACRE TRACT DESCRIBED IN DEED FROM HARTMANN LAND & CATTLE CO., LTD., ET AL. TO QT SOUTH, LLC, AS RECORDED IN DOCUMENT NO. 202199043267 OF THE OFFICIAL PUBLIC RECORDS OF GUADALUPE COUNTY, TEXAS. SAID 3.651 ACRE TRACT BEING MORE FULLY DESCRIBED AS FOLLOWS, WITH BEARINGS BASED ON THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE FROM THE NORTH AMERICAN DATUM OF 1983 (NA2011) EPOCH 2010.00:

- BEGINNING:** At a ½" iron rod with yellow plastic cap stamped "PAPE-DAWSON" set, on the Northwest right-of-way line of Interstate Highway 35, a variable width public right-of-way, for the South corner of the said 6.85 Acre tract and this tract, from **Whence** a Type II TxDOT right-of-way monument found, bears South 37°46'00" West, 399.46 feet;
- THENCE:** Departing the said Northwest right-of-way line, with the southwest line of the said 6.85 Acre tract and this tract, North 31°14'33" West, 599.70 feet to a ½" iron rod with plastic cap stamped "MATKIN HOOVER ENG. & SURVEY" found, for the West corner of the said 6.85 Acre tract and this tract, from **Whence** a ½" iron rod with plastic cap stamped "CEC" found for an exterior corner of a called 6.335 acre tract described in deed from the Estate of Melva Rose Klabunde, Hartmann Land and Cattle Co., Ltd., and MCM Ranch Co., Ltd. to the City of San Antonio, as recorded in Volume 4022, Page 120, of the said Official Public Records, bears South 59°18'50" West, 132.11 feet;
- THENCE:** North 59°17'53" East, with the Northwest line of the said 6.85 Acre tract and this tract, 368.49 feet to a ½" iron rod with yellow plastic cap stamped "PAPE-DAWSON" set, for the West corner of a called 0.538 acre, 70-foot wide right-of-way dedication, known as Four Oaks Lane, as shown on the QT 4033 Subdivision Plat, as recorded in Volume 10, Page 194 of the said Official Public Records, the North corner of this tract;
- THENCE:** Departing the said Northwest line, with the common line of the said Four Oaks Lane and this tract, South 30°42'07" East, 70.00 feet to a ½" iron rod with yellow plastic cap stamped "PAPE-DAWSON" set for an exterior corner of Lot 1, Block 1 of the said QT 4033 Subdivision Plat, the South corner of the said Four Oaks Lane, an angle point of this tract, from **Whence** a ½" iron rod found for an interior corner of the said Four Oaks Lane, an exterior corner of the said Lot 1, bears North 59°17'53" East, 235.42 feet;

Exhibit "A"
Property Description - Legal Metes and Bounds

THENCE: With the common line of the said Lot 1 and this tract the following three courses:

- South 48°14'31" East, 89.04 feet to a ½" iron rod with yellow plastic cap stamped "PAPE-DAWSON" set for an interior corner of the said Lot 1, an exterior corner of this tract;
- South 41°45'29" West, 209.33 feet to a ½" iron rod found for an exterior corner of the said Lot 1, an interior corner of this tract;
- South 48°14'31" East, 306.66 feet to a ½" iron rod with yellow plastic cap stamped "PAPE-DAWSON" set, on the Southeast line of the said 6.85 Acre tract and the said Northwest right-of-way line, for the South corner of the said Lot 1, the East corner of this tract;

THENCE: South 41°45'29" West, with the common line of the said Southeast line and the said Northwest right-of-way line, 296.26 feet to the **POINT OF BEGINNING** and containing 3.651 acres in the City of Schertz, Guadalupe County, Texas. Said tract being described in conjunction with a survey map prepared under job number 30088-00 by Pape-Dawson Engineers.

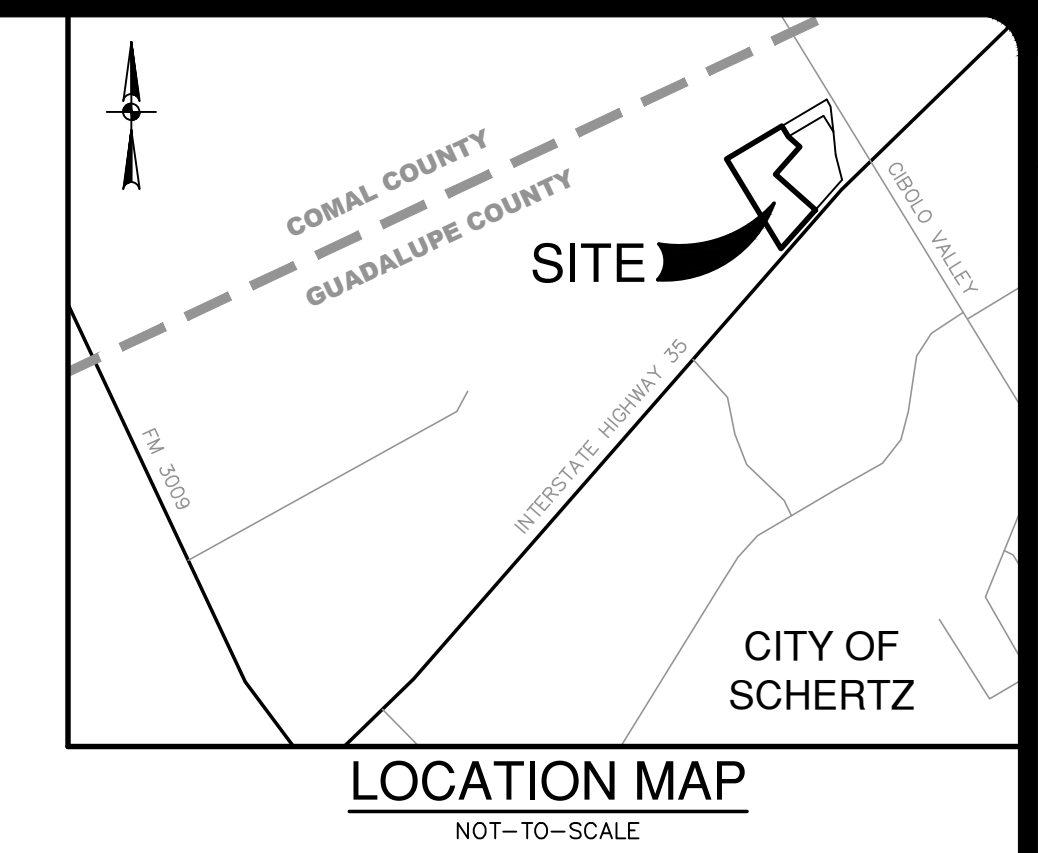
PREPARED BY: Pape-Dawson Engineers
DATE: August 18, 2024
JOB NO. 30088-00
DOC. ID. N:\CIVIL\30088-00\Word\30088-00 FN 3.651 AC.docx



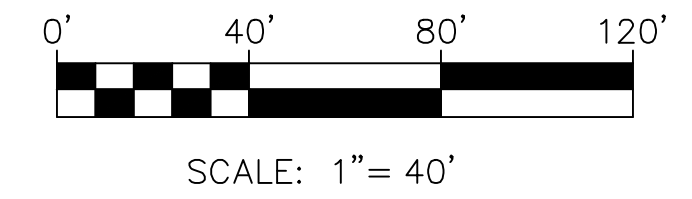
CITY OF SAN ANTONIO
CALLED 6.335 ACRES
(VOL. 4022, PG. 120, O.P.R.)

JACOB DE CORDOVA
SURVEY NO. 514
ABSTRACT 117
GUADALUPE COUNTY

HARTMANN LAND & CATTLE CO., LTD.
A REMAINDER OF 99.5 ACRES
(VOL. 2925, PG. 813, O.P.R.)



LOCATION MAP
NOT-TO-SCALE



State of Texas
County of Guadalupe

METES AND BOUNDS DESCRIPTION
FOR A 3.651 ACRE TRACT

FIELDNOTES: FOR A 3.651 ACRE, OR 159,024 SQUARE FEET MORE OR LESS, TRACT SITUATED IN THE JACOB DE CORDOVA SURVEY NO. 514, ABSTRACT 117, GUADALUPE COUNTY, TEXAS; BEING THE REMAINING PORTION OF A CALLED 6.85 ACRE TRACT DESCRIBED IN DEED FROM HARTMANN LAND & CATTLE CO., LTD., ET AL. TO QT SOUTH, LLC, AS RECORDED IN DOCUMENT NO. 202199043267 OF THE OFFICIAL PUBLIC RECORDS OF GUADALUPE COUNTY, TEXAS. SAID 3.651 ACRE TRACT BEING MORE FULLY DESCRIBED AS FOLLOWS, WITH BEARINGS BASED ON THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE FROM THE NORTH AMERICAN DATUM OF 1983 (NA2011) EPOCH 2010.00:

BEGINNING: At a 1/2" iron rod with yellow plastic cap stamped "PAPE-DAWSON" set, on the Northwest right-of-way line of Interstate Highway 35, a variable width public right-of-way, for the South corner of the said 6.85 Acre tract and this tract, from **Whence** a Type II TxDOT right-of-way monument found, bears South 37°46'00" West, 399.46 feet;

THENCE: Departing the said Northwest right-of-way line, with the southwest line of the said 6.85 Acre tract and this tract, North 31°14'33" West, 599.70 feet to a 1/2" iron rod with plastic cap stamped "MATKIN HOOVER ENG. & SURVEY" found, for the West corner of the said 6.85 Acre tract and this tract, from **Whence** a 1/2" iron rod with plastic cap stamped "CEC" found for an exterior corner of a called 6.335 acre tract described in deed from the Estate of Melva Rose Klabunde, Hartmann Land and Cattle Co., Ltd., and MCM Ranch Co., Ltd. to the City of San Antonio, as recorded in Volume 4022, Page 120, of the said Official Public Records, bears South 59°18'50" West, 132.11 feet;

THENCE: North 59°17'53" East, with the Northwest line of the said 6.85 Acre tract and this tract, 368.49 feet to a 1/2" iron rod with yellow plastic cap stamped "PAPE-DAWSON" set, for the West corner of a called 0.538 acre, 70-foot wide right-of-way dedication, known as Four Oaks Lane, as shown on the QT 4033 Subdivision Plat, as recorded in Volume 10, Page 194 of the said Official Public Records, the North corner of this tract;

THENCE: Departing the said Northwest line, with the common line of the said Four Oaks Lane and this tract, South 30°42'07" East, 70.00 feet to a 1/2" iron rod with yellow plastic cap stamped "PAPE-DAWSON" set for an exterior corner of Lot 1, Block 1 of the said QT 4033 Subdivision Plat, the South corner of the said Four Oaks Lane, an angle point of this tract, from **Whence** a 1/2" iron rod found for an interior corner of the said Four Oaks Lane, an exterior corner of the said Lot 1, bears North 59°17'53" East, 235.42 feet;

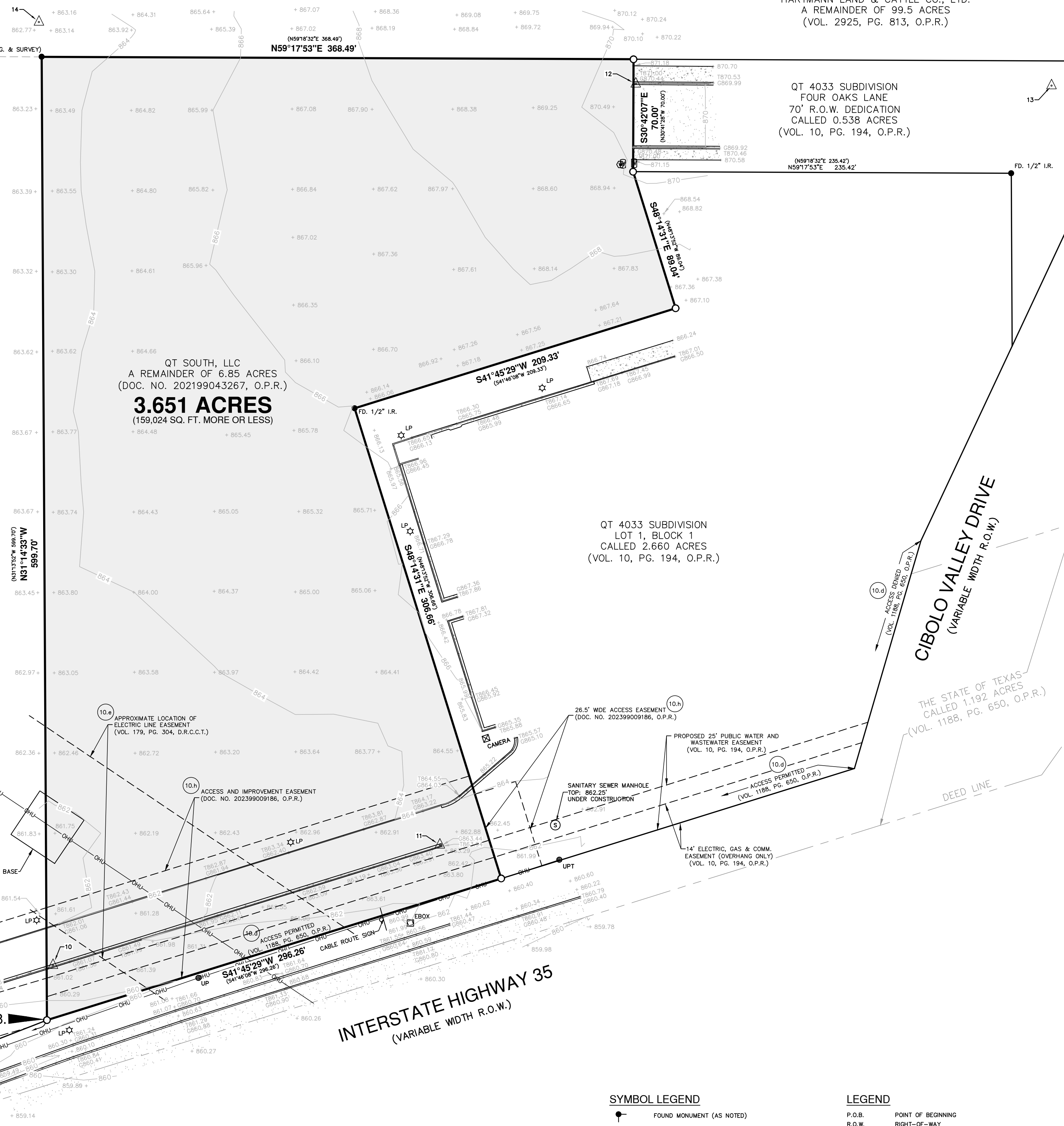
THENCE: With the common line of the said Lot 1 and this tract the following three courses:

- South 48°14'31" East, 89.04 feet to a 1/2" iron rod with yellow plastic cap stamped "PAPE-DAWSON" set for an interior corner of the said Lot 1, an exterior corner of this tract;
- South 41°45'29" West, 209.33 feet to a 1/2" iron rod found for an exterior corner of the said Lot 1, an interior corner of this tract;
- South 48°14'31" East, 306.66 feet to a 1/2" iron rod with yellow plastic cap stamped "PAPE-DAWSON" set, on the Southeast line of the said 6.85 Acre tract and the said Northwest right-of-way line, for the South corner of the said Lot 1, the East corner of this tract;

THENCE: South 41°45'29" West, with the common line of the said Southeast line and the said Northwest right-of-way line, 296.26 feet to the **POINT OF BEGINNING** and containing 3.651 acres in the City of Schertz, Guadalupe County, Texas.

ALTA/NSPS TABLE A NOTES:

- ITEM 1: 1/2" IRON ROD WITH YELLOW CAP MARKED "PAPE-DAWSON" SET AT SUBJECT PROPERTY CORNERS UNLESS NOTED OTHERWISE.
- ITEM 2: SUBJECT PROPERTY ADDRESS: IH-35, SCHERTZ, TX 78154
- ITEM 3: THE SUBJECT PROPERTY IS WITHIN THE FOLLOWING FLOOD ZONE(S) AS DEPICTED ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY (F.E.M.A.) FLOOD INSURANCE RATE MAP NUMBER 48187C0210F, DATED NOVEMBER 2, 2007 FOR GUADALUPE COUNTY, TEXAS AND INCORPORATED AREAS. THIS DATA IS AVAILABLE ON THE WEBSITE WWW.MSC.FEMA.GOV. ZONE X (UNSHADED), DEFINED AS: "AREA OF MINIMAL FLOOD HAZARD." FLOOD LIMIT LINES DO NOT REPRESENT THAT THE PROPERTY WILL OR WILL NOT FLOOD. SUCH LINES AND AREAS ARE FROM SAID FEDERAL EMERGENCY MANAGEMENT AGENCY DATA SOURCES AND ARE STATISTICAL ONLY. THE SURVEYOR ACCEPTS NO RESPONSIBILITY FOR THE ACCURACY OF SAID DATA.
- ITEM 4: 3.651 ACRE OR 159,024 SQ. FT. MORE OR LESS
- ITEM 8: SUBSTANTIAL FEATURES OBSERVED IN THE PROCESS OF CONDUCTING THE FIELDWORK ARE SHOWN ON THE SURVEY.
- ITEM 9: NO PARKING STRIPES OBSERVED.



HORIZONTAL AND VERTICAL CONTROL POINTS				
Point #	Northing	Easting	Elevation	Full Description
10	13,771,595.42	2,201,214.91	860.98	SET MAG NAIL (TRAV)
11	13,771,783.51	2,201,383.00	863.41	SET MAG NAIL (TRAV)
12	13,772,252.61	2,201,244.08	870.50	SET MAG NAIL (TRAV)
13	13,772,384.72	2,201,466.70	866.71	SET MAG NAIL (TRAV)
14	13,772,094.64	2,200,905.55	863.00	SET I.R. REDCAP (TRAV)

- SYMBOL LEGEND**
- FOUND MONUMENT (AS NOTED)
 - SET 1/2" IRON ROD WITH YELLOW PAPE-DAWSON CAP
 - △ CONTROL POINT (SEE TABLE)
 - UP UTILITY POLE
 - UPT UTILITY POLE WITH TRANSFORMER
 - ☆ LP LIGHT POLE
 - EBXO ELECTRIC BOX
 - ⊙ SANITARY SEWER MANHOLE
 - ⊖ WATER METER
 - ⊕ WATER VALVE
 - SIGN (AS NOTED)
 - ⊠ MISCELLANEOUS (AS NOTED)

- LEGEND**
- P.O.B. POINT OF BEGINNING
 - R.O.W. RIGHT-OF-WAY
 - FD. FOUND
 - LR. IRON ROD
 - T800.00 TOP OF CURB ELEVATION
 - G800.00 GUTTER ELEVATION
 - 800.00 SPOT ELEVATION
 - ASPHALT
 - CONCRETE
- LINE LEGEND**
- EASEMENT LINE (AS NOTED)
 - OVERHEAD UTILITY LINE
- DEED/PLAT REFERENCE**
- O.P.R. - OFFICIAL PUBLIC RECORDS OF GUADALUPE COUNTY, TEXAS
D.R.C.C.T. - DEED RECORDS OF COMAL COUNTY, TEXAS

NOTES:

- THE BEARINGS FOR THIS SURVEY ARE BASED ON THE NORTH AMERICAN DATUM OF 1983 (NA2011) EPOCH 2010.00, FROM THE TEXAS STATE PLANE COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE.
- VERTICAL DATUM IS BASED ON NORTH AMERICAN VERTICAL DATUM OF 1988, GEOID 12B.
- THE COORDINATES SHOWN HEREON ARE SURFACE VALUES USING A SURFACE ADJUSTMENT FACTOR OF 1.00015. THESE VALUES CAN BE CONVERTED TO STATE PLANE GRID COORDINATES BY APPLYING THE RECIPOCAL - 0.999802249662.
- RECORD BEARING AND DISTANCES ARE SHOWN WITHIN PARENTHESIS.
- ILLUSTRATED UTILITIES ARE BASED ON FOUND VISIBLE EVIDENCE. THE LOCATION AND DEPTH OF EXISTING UTILITIES SHOULD BE FIELD VERIFIED BEFORE CONSTRUCTION. THE SURVEYOR DOES NOT HAVE KNOWLEDGE AS TO THE AVAILABILITY OF SERVICE TO, OR THE STATUS OF THE UTILITIES ON THIS SITE.
- CONSTRUCTION OBSERVED DURING THIS SURVEY.
- ABUTS IH-35 SOUTH - AS SHOWN

REFERENCES:

This survey was prepared in conjunction with, but not solely relying on, the Title Commitment listed below.

Title Commitment: G.F. # SAT-41-4000412401293R Alamo Title Insurance
Date Issued: June 18, 2024
Effective Date: June 8, 2024

Only those matters identified in the Title Commitment and those that the surveyor was aware of at the time of this survey are shown.

- The following restrictive covenants of record itemized below (We must either insert specific recording data or delete this exception):
Document No. 202199043268, Official Public Records, Guadalupe County, Texas. (APPLIES)
Omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law.
- The following matters and all terms of the documents creating or offering evidence of the matters:
 - All leases, grants, exceptions or reservations of coal, lignite, oil, gas and other minerals, together with all rights, privileges, and immunities relating thereto, appearing in the Public Records whether listed in Schedule B or not. There may be leases, grants, exceptions or reservations of mineral interest that are not listed. (NOT A SURVEY MATTER)
 - Controlled access to Highway Facility as described in Deed filed February 7, 1996 and recorded in Volume 1188, Page 650, Official Public Records, Guadalupe County, Texas. (APPLIES - AS SHOWN)
Easement to: City of San Antonio
Purpose: Electric Line Easement
Recording Date: July 10, 1970
Recording No: Volume 179, Page 304, Deed Records, Comal County, Texas.
Easement not found recorded in Guadalupe County (APPLIES - APPROXIMATE LOCATION SHOWN)
 - Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
Granted to: City of Schertz, Texas
Purpose: Water and Wastewater Easement Agreement
Recording Date: December 7, 2021
Recording No: Document No. 202199041800, Official Public Records, Guadalupe County, Texas. (MAY APPLY - AS SHOWN)
 - Matters contained in that certain document
Entitled: Easement Agreement
Dated: December 17, 2021
Executed by: Hartmann Land & Cattle Co., Ltd., a Texas limited partnership,
MCM Ranch Co., Ltd., a Texas limited partnership,
Keith Klabunde, Brenda L. Fuhrmann, Kimberly K. Williams and
Jamie Klabunde and
QT South, LLC, a Texas limited liability company
Recording Date: December 20, 2021
Recording No: Document No. 202199043269, Official Public Records, Guadalupe County, Texas.
Which provides for, among other things: Access Easement.
Reference is hereby made to said document for full particulars. (APPLIES, AFFECTS ACCESS TO SUBJECT TRACT - AS SHOWN)
 - Matters contained in that certain document
Entitled: Easement Declaration
Dated: April 14, 2023
Executed by: QT South, LLC, a Texas limited liability company
Recording Date: April 17, 2023
Recording No: Document No. 202399009186, Official Public Records, Guadalupe County, Texas.
Which provides for, among other things: Easements.
Reference is hereby made to said document for full particulars. (APPLIES - AS SHOWN)

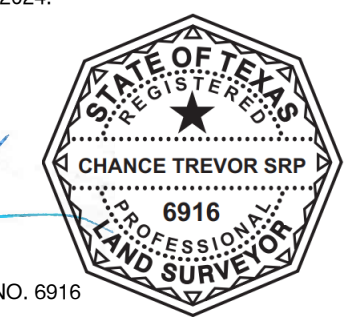
TO: QT SOUTH, LLC, A TEXAS LIMITED LIABILITY COMPANY, AND ALAMO TITLE INSURANCE

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1-4, 8, AND 9 OF TABLE A THEREOF.

THE FIELD WORK WAS COMPLETED ON JULY 26, 2024.

DATE OF MAP OR PLAT: AUGUST 18, 2024

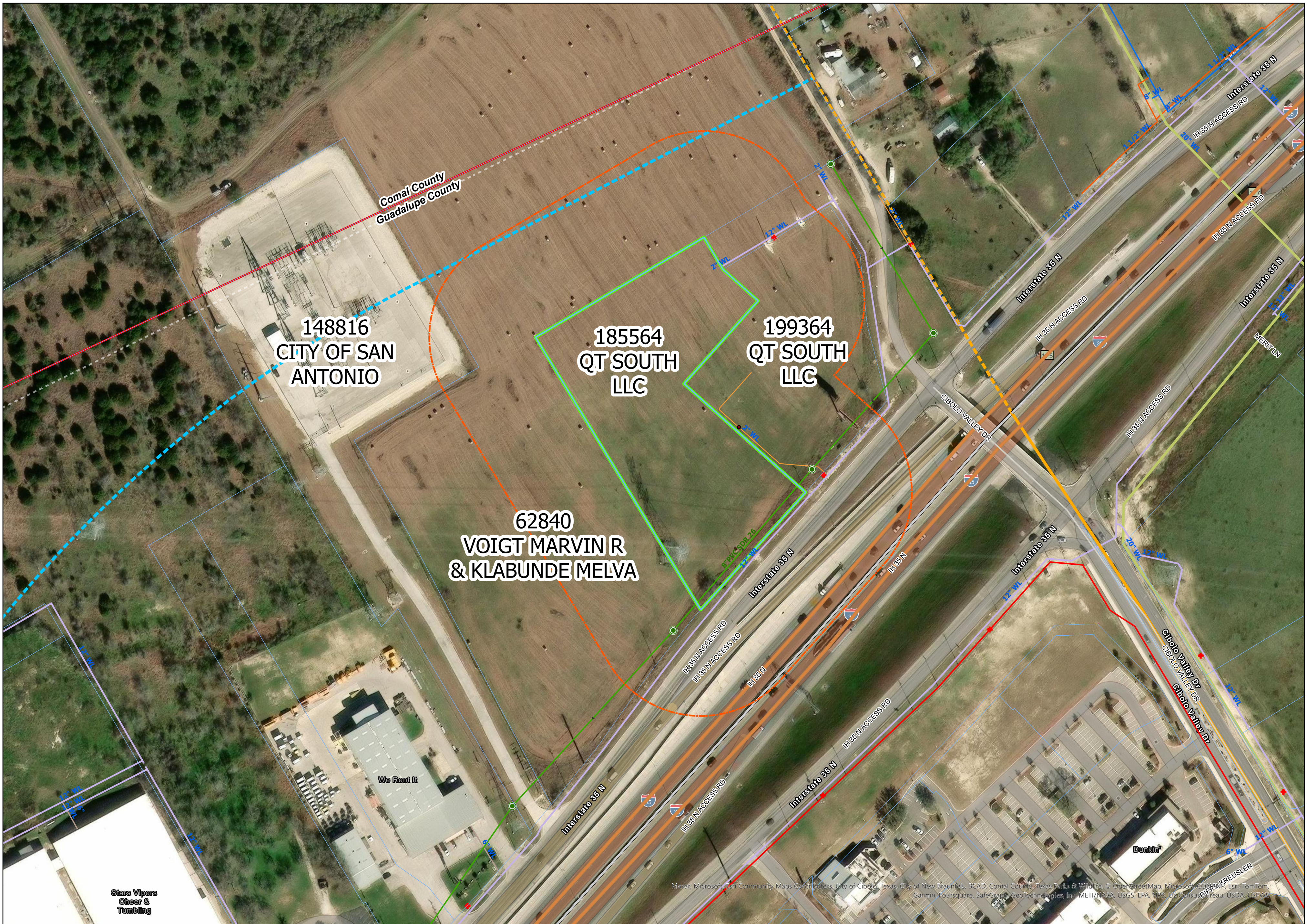
CHANCE T. SRP
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6916
CSR/P/PAPE-DAWSON.COM



PAPE-DAWSON ENGINEERS
1672 INTERSTATE DR. STE 102 | NEW BRAUNFELS, TX 78124 | 800.832.5683
TEXAS ENGINEERING FIRM #470 | TEXAS SURVEYING FIRM #10038800

ALTA/NSPS LAND TITLE SURVEY

JOB NO. 30088-00
DATE AUGUST 18, 2024
CHECKED CS DRAWN DF
CIVIL JOB NO. ---
REFERENCE: ---
SHEET 1 OF 1

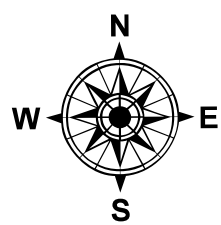


Stars Vipers
Cheer &
Tumbling

We Rent It

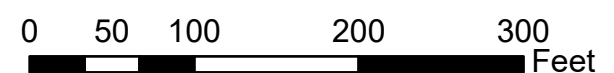
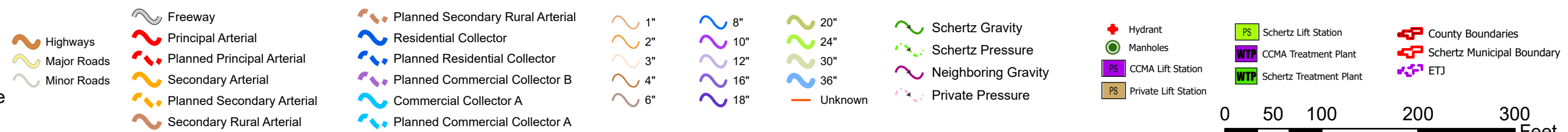
Dunkin'

Mexar, Microsoft, Esri, Community Maps Contributors, City of Cibola, Texas, City of New Braunfels, BCAD, Comal County, Texas Parks & Wildlife, © OpenStreetMap, Microsoft, COMPAQ, Esri, TomTom, Garmin, FourSquare, SafeGraph, GeoTechnologies, Inc., METI/NSA, USGS, EPA, INPS, US Census Bureau, USDA, USFWS



SCHIERTZ
COMMUNITY • SERVICE • OPPORTUNITY

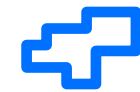
PLSPU20240219
I-35 & Cibolo Valley Drive Storage
SUP





City of Schertz

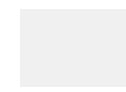
PARCEL ID:
185564



Project Boundary



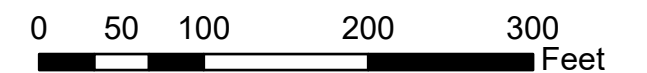
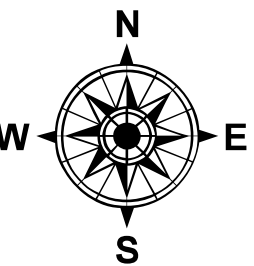
200' Buffer



City Limits



Schertz ETJ
Boundary



METES AND BOUNDS DESCRIPTION
FOR A

3.651 ACRE TRACT

State of Texas
County of Guadalupe

FIELDNOTES, FOR A 3.651 ACRE, OR 159,024 SQUARE FEET MORE OR LESS, TRACT SITUATED IN THE JACOB DE CORDOVA SURVEY NO. 514, ABSTRACT 117, GUADALUPE COUNTY, TEXAS; BEING THE REMAINING PORTION OF A CALLED 6.85 ACRE TRACT DESCRIBED IN DEED FROM HARTMANN LAND & CATTLE CO., LTD., ET AL. TO QT SOUTH, LLC, AS RECORDED IN DOCUMENT NO. 202199043267 OF THE OFFICIAL PUBLIC RECORDS OF GUADALUPE COUNTY, TEXAS. SAID 3.651 ACRE TRACT BEING MORE FULLY DESCRIBED AS FOLLOWS, WITH BEARINGS BASED ON THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE FROM THE NORTH AMERICAN DATUM OF 1983 (NA2011) EPOCH 2010.00:

BEGINNING: At a ½" iron rod with yellow plastic cap stamped "PAPE-DAWSON" set, on the Northwest right-of-way line of Interstate Highway 35, a variable width public right-of-way, for the South corner of the said 6.85 Acre tract and this tract, from **Whence** a Type II TxDOT right-of-way monument found, bears South 37°46'00" West, 399.46 feet;

THENCE: Departing the said Northwest right-of-way line, with the southwest line of the said 6.85 Acre tract and this tract, North 31°14'33" West, 599.70 feet to a ½" iron rod with plastic cap stamped "MATKIN HOOVER ENG. & SURVEY" found, for the West corner of the said 6.85 Acre tract and this tract, from **Whence** a ½" iron rod with plastic cap stamped "CEC" found for an exterior corner of a called 6.335 acre tract described in deed from the Estate of Melva Rose Klabunde, Hartmann Land and Cattle Co., Ltd., and MCM Ranch Co., Ltd. to the City of San Antonio, as recorded in Volume 4022, Page 120, of the said Official Public Records, bears South 59°18'50" West, 132.11 feet;

THENCE: North 59°17'53" East, with the Northwest line of the said 6.85 Acre tract and this tract, 368.49 feet to a ½" iron rod with yellow plastic cap stamped "PAPE-DAWSON" set, for the West corner of a called 0.538 acre, 70-foot wide right-of-way dedication, known as Four Oaks Lane, as shown on the QT 4033 Subdivision Plat, as recorded in Volume 10, Page 194 of the said Official Public Records, the North corner of this tract;

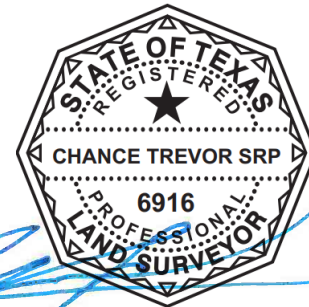
THENCE: Departing the said Northwest line, with the common line of the said Four Oaks Lane and this tract, South 30°42'07" East, 70.00 feet to a ½" iron rod with yellow plastic cap stamped "PAPE-DAWSON" set for an exterior corner of Lot 1, Block 1 of the said QT 4033 Subdivision Plat, the South corner of the said Four Oaks Lane, an angle point of this tract, from **Whence** a ½" iron rod found for an interior corner of the said Four Oaks Lane, an exterior corner of the said Lot 1, bears North 59°17'53" East, 235.42 feet;

THENCE: With the common line of the said Lot 1 and this tract the following three courses:

- South 48°14'31" East, 89.04 feet to a ½" iron rod with yellow plastic cap stamped "PAPE-DAWSON" set for an interior corner of the said Lot 1, an exterior corner of this tract;
- South 41°45'29" West, 209.33 feet to a ½" iron rod found for an exterior corner of the said Lot 1, an interior corner of this tract;
- South 48°14'31" East, 306.66 feet to a ½" iron rod with yellow plastic cap stamped "PAPE-DAWSON" set, on the Southeast line of the said 6.85 Acre tract and the said Northwest right-of-way line, for the South corner of the said Lot 1, the East corner of this tract;

THENCE: South 41°45'29" West, with the common line of the said Southeast line and the said Northwest right-of-way line, 296.26 feet to the **POINT OF BEGINNING** and containing 3.651 acres in the City of Schertz, Guadalupe County, Texas. Said tract being described in conjunction with a survey map prepared under job number 30088-00 by Pape-Dawson Engineers.

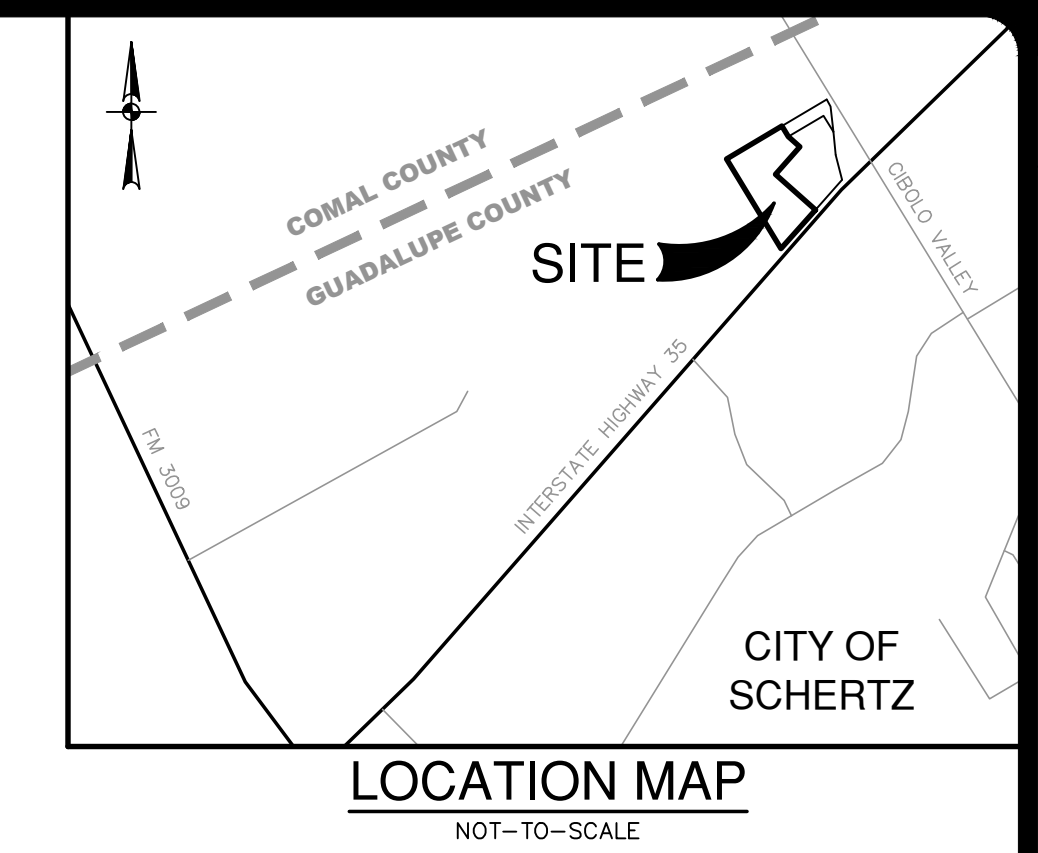
PREPARED BY: Pape-Dawson Engineers
DATE: August 18, 2024
JOB NO. 30088-00
DOC. ID. N:\CIVIL\30088-00\Word\30088-00 FN 3.651 AC.docx



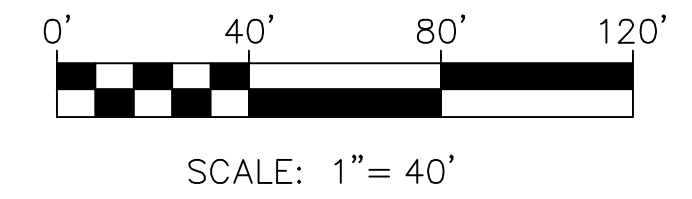
CITY OF SAN ANTONIO
CALLED 6.335 ACRES
(VOL. 4022, PG. 120, O.P.R.)

JACOB DE CORDOVA
SURVEY NO. 514
ABSTRACT 117
GUADALUPE COUNTY

HARTMANN LAND & CATTLE CO., LTD.
A REMAINDER OF 99.5 ACRES
(VOL. 2925, PG. 813, O.P.R.)



LOCATION MAP
NOT-TO-SCALE



**State of Texas
County of Guadalupe**

**METES AND BOUNDS DESCRIPTION
FOR A 3.651 ACRE TRACT**

FIELDNOTES: FOR A 3.651 ACRE, OR 159,024 SQUARE FEET MORE OR LESS, TRACT SITUATED IN THE JACOB DE CORDOVA SURVEY NO. 514, ABSTRACT 117, GUADALUPE COUNTY, TEXAS; BEING THE REMAINING PORTION OF A CALLED 6.85 ACRE TRACT DESCRIBED IN DEED FROM HARTMANN LAND & CATTLE CO., LTD., ET AL. TO QT SOUTH, LLC, AS RECORDED IN DOCUMENT NO. 202199043267 OF THE OFFICIAL PUBLIC RECORDS OF GUADALUPE COUNTY, TEXAS. SAID 3.651 ACRE TRACT BEING MORE FULLY DESCRIBED AS FOLLOWS, WITH BEARINGS BASED ON THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE FROM THE NORTH AMERICAN DATUM OF 1983 (NA2011) EPOCH 2010.00:

BEGINNING: At a 1/2" iron rod with yellow plastic cap stamped "PAPE-DAWSON" set, on the Northwest right-of-way line of Interstate Highway 35, a variable width public right-of-way, for the South corner of the said 6.85 Acre tract and this tract, from **Whence** a Type II TxDOT right-of-way monument found, bears South 37°46'00" West, 399.46 feet;

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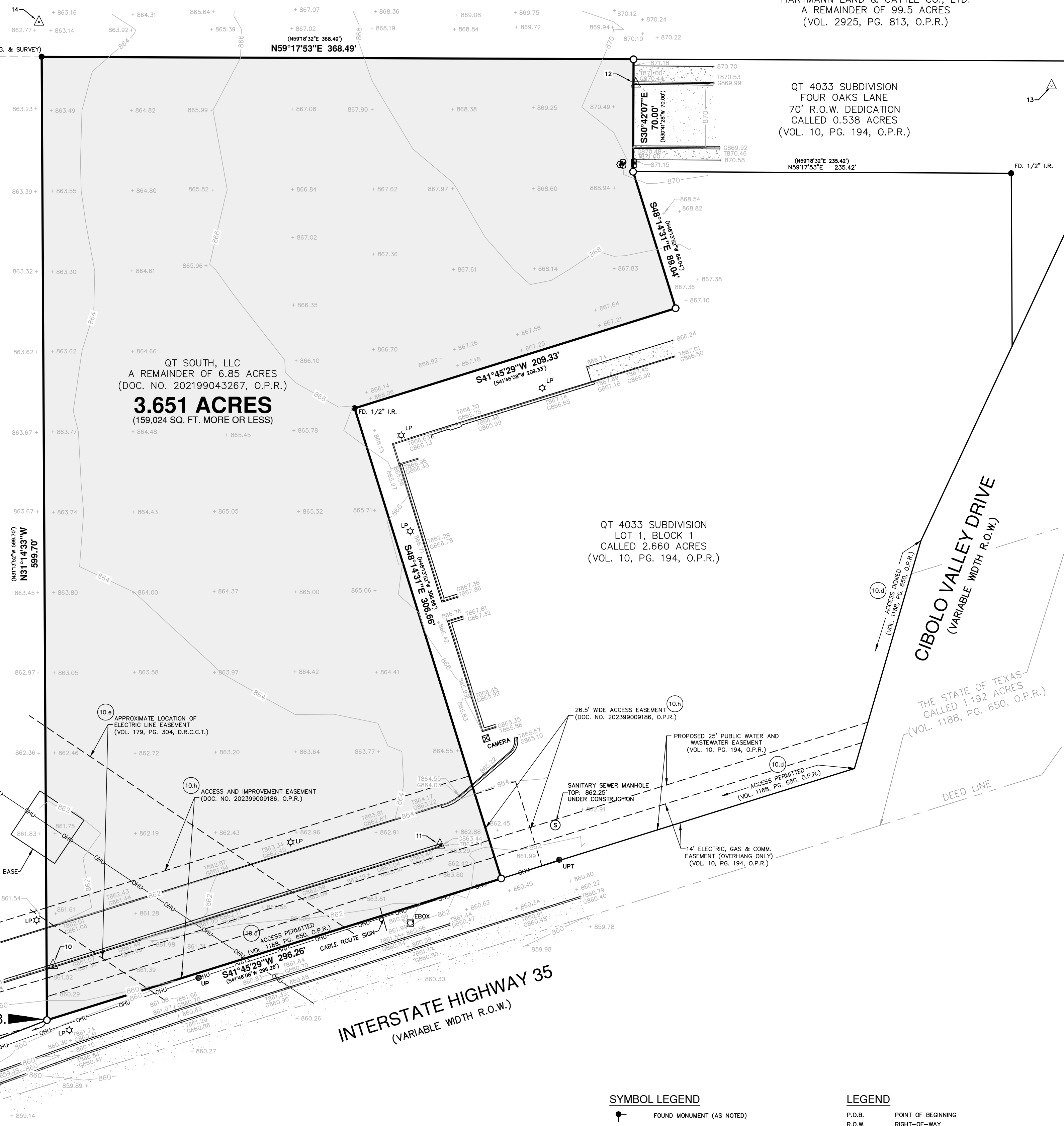
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THENCE: South 41°45'29" West, with the common line of the said Southeast line and the said Northwest right-of-way line, 296.26 feet to the **POINT OF BEGINNING** and containing 3.651 acres in the City of Schertz, Guadalupe County, Texas.

ALTA/NSPS TABLE A NOTES:

- ITEM 1: 1/2" IRON ROD WITH YELLOW CAP MARKED "PAPE-DAWSON" SET AT SUBJECT PROPERTY CORNERS UNLESS NOTED OTHERWISE.
- ITEM 2: SUBJECT PROPERTY ADDRESS: IH-35, SCHERTZ, TX 78154
- ITEM 3: THE SUBJECT PROPERTY IS WITHIN THE FOLLOWING FLOOD ZONE(S) AS DEPICTED ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY (F.E.M.A.) FLOOD INSURANCE RATE MAP NUMBER 48187C0210F, DATED NOVEMBER 2, 2007 FOR GUADALUPE COUNTY, TEXAS AND INCORPORATED AREAS. THIS DATA IS AVAILABLE ON THE WEBSITE WWW.MSC.FEMA.GOV. ZONE X (UNSHADED), DEFINED AS: "AREA OF MINIMAL FLOOD HAZARD." FLOOD LIMIT LINES DO NOT REPRESENT THAT THE PROPERTY WILL OR WILL NOT FLOOD. SUCH LINES AND AREAS ARE FROM SAID FEDERAL EMERGENCY MANAGEMENT AGENCY DATA SOURCES AND ARE STATISTICAL ONLY. THE SURVEYOR ACCEPTS NO RESPONSIBILITY FOR THE ACCURACY OF SAID DATA.
- ITEM 4: 3.651 ACRE OR 159,024 SQ. FT. MORE OR LESS
- ITEM 8: SUBSTANTIAL FEATURES OBSERVED IN THE PROCESS OF CONDUCTING THE FIELDWORK ARE SHOWN ON THE SURVEY.
- ITEM 9: NO PARKING STRIPES OBSERVED.



HORIZONTAL AND VERTICAL CONTROL POINTS				
Point #	Northing	Easting	Elevation	Full Description
10	13,771,595.42	2,201,214.91	860.98	SET MAG NAIL (TRAV)
11	13,771,783.51	2,201,383.00	863.41	SET MAG NAIL (TRAV)
12	13,772,252.61	2,201,244.08	870.50	SET MAG NAIL (TRAV)
13	13,772,384.72	2,201,466.70	866.71	SET MAG NAIL (TRAV)
14	13,772,094.64	2,200,905.55	863.00	SET I.R. REDCAP (TRAV)

SYMBOL LEGEND

- FOUND MONUMENT (AS NOTED)
- SET 1/2" IRON ROD WITH YELLOW PAPE-DAWSON CAP
- △ CONTROL POINT (SEE TABLE)
- UP UTILITY POLE
- UPT UTILITY POLE WITH TRANSFORMER
- ☆ LP LIGHT POLE
- EBXO ELECTRIC BOX
- ⊙ SANITARY SEWER MANHOLE
- ⊖ WATER METER
- ⊕ WATER VALVE
- SIGN (AS NOTED)
- ⊠ MISCELLANEOUS (AS NOTED)

LEGEND

- P.O.B. POINT OF BEGINNING
- R.O.W. RIGHT-OF-WAY
- FD. FOUND
- LR. IRON ROD
- T800.00 TOP OF CURB ELEVATION
- G800.00 GUTTER ELEVATION
- 800.00 SPOT ELEVATION
- ASPHALT
- CONCRETE

LINE LEGEND

- EASEMENT LINE (AS NOTED)
- OVERHEAD UTILITY LINE

DEED/PLAT REFERENCE

O.P.R. OFFICIAL PUBLIC RECORDS OF GUADALUPE COUNTY, TEXAS
D.R.C.C.T. DEED RECORDS OF COMAL COUNTY, TEXAS

- NOTES:**
- 1) THE BEARINGS FOR THIS SURVEY ARE BASED ON THE NORTH AMERICAN DATUM OF 1983 (NA2011) EPOCH 2010.00, FROM THE TEXAS STATE PLANE COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE.
 - 2) VERTICAL DATUM IS BASED ON NORTH AMERICAN VERTICAL DATUM OF 1988, GEOID 12B.
 - 3) THE COORDINATES SHOWN HEREON ARE SURFACE VALUES USING A SURFACE ADJUSTMENT FACTOR OF 1.00015. THESE VALUES CAN BE CONVERTED TO STATE PLANE GRID COORDINATES BY APPLYING THE RECIPOCAL = 0.9998980249862.
 - 4) RECORD BEARING AND DISTANCES ARE SHOWN WITHIN PARENTHESIS.
 - 5) ILLUSTRATED UTILITIES ARE BASED ON FOUND VISIBLE EVIDENCE. THE LOCATION AND DEPTH OF EXISTING UTILITIES SHOULD BE FIELD VERIFIED BEFORE CONSTRUCTION. THE SURVEYOR DOES NOT HAVE KNOWLEDGE AS TO THE AVAILABILITY OF SERVICE TO, OR THE STATUS OF THE UTILITIES ON THIS SITE.
 - 6) CONSTRUCTION OBSERVED DURING THIS SURVEY.
 - 7) ABUTS IH-35 SOUTH - AS SHOWN

REFERENCES:
This survey was prepared in conjunction with, but not solely relying on, the Title Commitment listed below.

Title Commitment: G.F. # SAT-41-4000412401293R Alamo Title Insurance
Date Issued: June 18, 2024
Effective Date: June 8, 2024

- Only those matters identified in the Title Commitment and those that the surveyor was aware of at the time of this survey are shown.
1. The following restrictive covenants of record itemized below (We must either insert specific recording data or delete this exception):
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 10. The following matters and all terms of the documents creating or offering evidence of the matters:
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 - d. Controlled access to Highway Facility as described in Deed filed February 7, 1996 and recorded in Volume 1188, Page 650, Official Public Records, Guadalupe County, Texas. (APPLIES - AS SHOWN)
Easement to: City of San Antonio
Purpose: Electric Line Easement
Recording Date: July 10, 1970
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Recording Date: December 7, 2021
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Which provides for, among other things: Access Easement.
Reference is hereby made to said document for full particulars. (APPLIES, AFFECTS ACCESS TO SUBJECT TRACT - AS SHOWN)
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Recording No: Document No. 202399009186, Official Public Records, Guadalupe County, Texas.
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TO: QT SOUTH, LLC, A TEXAS LIMITED LIABILITY COMPANY, AND ALAMO TITLE INSURANCE

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THE FIELD WORK WAS COMPLETED ON JULY 26, 2024.

DATE OF MAP OR PLAT: AUGUST 18, 2024

CHANCE T. SRP
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6916
CSR/P/PAPE-DAWSON.COM

NO.	REVISION	DATE

PAPE-DAWSON ENGINEERS

1672 INTERMEDICINE DR. STE 102 | NEW BRAUNFELS, TX 78124 | 800.832.5683
TEXAS ENGINEERING FIRM #1008800

ALTA/NSPS LAND TITLE SURVEY

A 3.651 ACRE, OR 159,024 SQUARE FEET MORE OR LESS, TRACT SITUATED IN THE JACOB DE CORDOVA SURVEY NO. 514, ABSTRACT 117, GUADALUPE COUNTY, TEXAS; BEING THE REMAINING PORTION OF A CALLED 6.85 ACRE TRACT DESCRIBED IN DEED FROM HARTMANN LAND & CATTLE CO., LTD., ET AL. TO QT SOUTH, LLC, AS RECORDED IN DOCUMENT NO. 202199043267 OF THE OFFICIAL PUBLIC RECORDS OF GUADALUPE COUNTY, TEXAS.

JOB NO. **30088-00**

DATE **AUGUST 18, 2024**

CHECKED **CS** DRAWN **DF**

CIVIL JOB NO. **---**

REFERENCE: **---**

SHEET **1** OF **1**

Notes: Aug 18, 2024, 8:03am, User ID: ccrp
File: N:\GUALA\20248-00\30088-00_B5.dwg

24-S-170

Proposed SUP for Mixed-Use Self-Storage

William Willingham | Planner



- 3.65 acres
- Undeveloped
- Not platted






	Zoning	Use
Subject Property	General Business District (GB)	Undeveloped
North	General Business District (GB) and Manufacturing District-Light (M1)	Undeveloped
East	General Business with approved SUP	Convenience store with gas pumps
South	Right-of-Way	IH-35 access road
West	General Business District (GB) and Manufacturing District-Light (M1)	Undeveloped



SCHERTZ
COMMUNITY • SERVICE • OPPORTUNITY

City of Schertz

-  Project Boundary
-  200' Buffer
-  City Limits
-  Schertz ETJ Boundary



PARCEL ID:
185564

City of Schertz, 18175 North IH 35, Schertz, Texas 78150
This City of Schertz provides this geographic information system product "as is" without any warranty or liability, whether express or implied, for any use of the information. The City of Schertz does not warrant the accuracy, completeness, or timeliness of the information. The City of Schertz is not responsible for any errors or omissions in the information. The City of Schertz is not responsible for any damages or losses resulting from the use of the information. The City of Schertz is not responsible for any changes in the information. The City of Schertz is not responsible for any third-party claims or actions against the City of Schertz.

- 4 public notices were sent on 10.22.24
 - (0) in favor
 - (0) Neutral
 - (0) in Opposition
- 2 signs were placed by the applicant
- A public hearing notice was published on November 13, 2024, in the “San Antonio Express”

SCHERTZ
COMMUNITY. SERVICE. OPPORTUNITY.

Background

- As per UDC Section 21.5.8, a Specific Use Permit is required for Mixed-Use Self-Storage in General Business District (GB).
- The applicant is proposing a 4 Story Mixed-Use Self-Storage building to include approximately 2,250 square feet of retail/office flex space at the rear of a larger development that includes commercial retail strip along the IH-35 North access road.

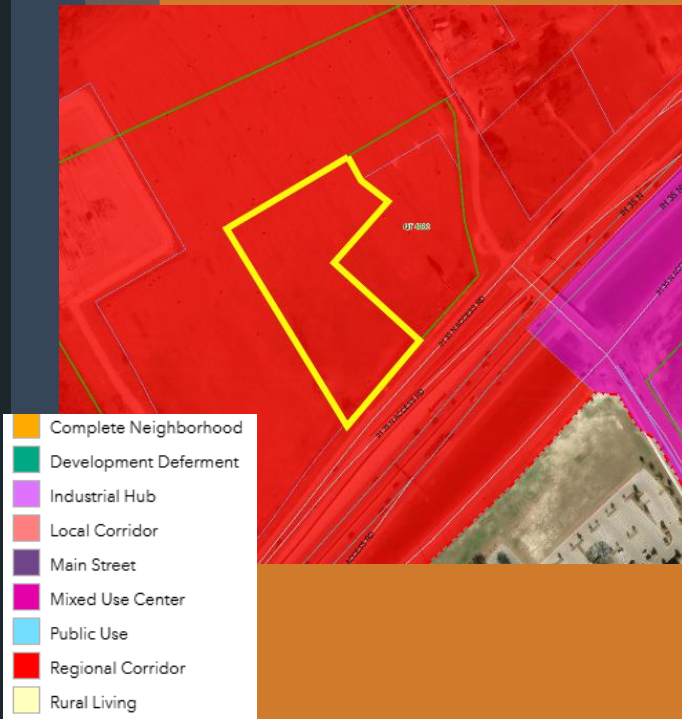
UDC SECTION 21.5.11.D Criteria for Approval

1. The proposed use at the specified location is consistent with the policies of the adopted Comprehensive Land Plan, or any other applicable adopted plans.

The proposed Specific Use Permit for Mixed-Use Self-Storage is consistent with the policies of the adopted Comprehensive Land Plan.

The Comprehensive Land Plan designates this subject property as Regional Corridor. This land use type is intended for commercial areas along major thoroughfares that serve populations within the city and the broader region. This includes regional shopping centers, department stores, and office buildings to include limited industrial and logistics uses. All of such uses currently exist in the Regional Corridor land use type.

The applicant is proposing a 4-story Mixed-Use Self-Storage building to include a retail/office flex space at the rear of a larger development that includes a commercial retail strip along the IH-35 North access road. These uses are consistent with Regional Corridor designated to the site by Comprehensive Land Plan.



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;

The current zoning of the site as 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. These businesses are usually located on appropriately designed and attractively landscaped sites along principal transportation corridors.

The proposed Specific Use Permit to allow Mixed-Use Self-Storage allows for retail and offices on the first floor of a multi-level enclosed storage facility located along the IH-35 access road which is consistent with the General Business District (GB).

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.



The subject property is surrounded by other General Business District (GB) properties and is compatible with the surrounding properties.

To the east of the subject property exists a QT zoned General Business (GB) with an approved SUP to permit a convenience store with gas pumps, while approximately 140 feet west of the property exists an electrical substation. The parcel of land to the north and west of this property is also zoned as Manufacturing District-Light (M-1) further north from the IH-35 frontage.

UDC SECTION 21.5.11.D Criteria for Approval

4. The proposed use will not adversely affect the overall health, safety or 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. Due to the existing General Business District (GB) zoning of the surrounding properties and the location of the subject property on IH-35, the proposed Specific Use Permit to allow Mixed-Use Self-Storage in General Business District (GB) would not pose an adverse impact on adjacent properties.

The City of Schertz Fire, EMS, and Police Departments have been notified of the specific use permit and have not provided objections

UDC SECTION 21.5.11.D Criteria for Approval

5. Whether other factors are deemed relevant and important in the consideration of the Specific Use Permit.

Staff has ensured all Unified Development Code requirements have been met for the proposed Specific Use Permit. The public hearing is an environment where the City Council can discuss other criteria relevant to the consideration of the Specific Use Permit.

Staff Recommendation

Staff recommends approval of 24-S-170 the Specific Use Permit to allow Mixed-Use Self-Storage at the subject property conditioned upon the following:

1. A building permit is approved within two (2) years of the adoption of the S UP ordinance in accordance with Unified Development Code Article 5, Section 21.5.11.F Expiration of Specific Use Permit.
2. Twenty percent (20%) of the useable square footage of the first floor of the proposed Mixed-Use Self-Storage building be for office, service, or retail space, and separate from the individual units for ren or lease.

Commission Recommendation

The Planning and Zoning Commission recommended approval of 24-S-170 the Specific Use Permit to allow Mixed-Use Self-Storage at the subject property with a 4-0 vote, conditioned upon the following:

1. A building permit is approved within two (2) years of the adoption of the S UP ordinance in accordance with Unified Development Code Article 5, Section 21.5.11.F Expiration of Specific Use Permit.
2. Twenty percent (20%) of the useable square footage of the first floor of the proposed Mixed-Use Self-Storage building be for office, service, or retail space, and separate from the individual units for rent or lease.

CITY COUNCIL MEMORANDUM

City Council Meeting: December 03, 2024
Department: Planning & Community Development
Subject: Ordinance 24-S-159 – Conduct a public hearing and consider a request to rezone approximately 3.014 acres of land to Agricultural District (AD), more specifically known as a portion of Comal County Property Identification Number 79004, Comal County, Texas. (B.James/L.Wood/E.Delgado)

BACKGROUND

In July of 2024 the City of Schertz City Council approved ordinances to annex over 3,107 acres into the City of Schertz based on expiring Delayed Annexation Development Agreements. As part of that process, Comal County Property Identification numbers 79004, 79006, and 79009 owned by Timothy A. Fey and Sharlene E. Fey were scheduled to be annexed and zoned. However, as part of that annexation effort, City Council approved Resolution 24-R-81 which authorized the approval of a Development Agreement with Timothy A. Fey and Sharlene E. Fey. The Fey's own approximately 100.535 acres of property, of which approximately 1 acre is utilized as their homestead and the remainder is used for agricultural purposes. As part of the agreement, the property owner authorized the annexation of the agricultural land, while the residential land was to remain in the ETJ. Based on the agreements terms, on July 16, 2024, in addition to approving resolution 24-R-81, City Council also approved Ordinance 24-A-49 and 24-A-50, which annexed Comal County Property IDs 79006, and 79009, or the agricultural tracts.

However, Comal County Property Identification Number 79004 is only partially utilized for residential. Per the agreement, only 1-acre of the approximately 4.0-acre tract is utilized for residential, while the remaining 3.014-acres is used for agricultural purposes. Based on the conditions of the agreement, due to the 3.014-acres not being used for residential purposes, the City is proceeding forward with annexation and zoning of the agricultural portion of Comal County Property ID 79004. At the October 15, 2024 City Council meeting, Resolution 24-R-131 was approved accepting the voluntary annexation petition and starting the annexation process. The purpose of Ordinance 24-S-159 is to establish a zoning designation for Comal County Parcel ID 79004 while it is going through the annexation process.

On October 22, 2024 two (2) public hearing notices were mailed to the surrounding property owners within a 200-foot notification boundary of the subject parcels. Additionally, the property owners of the parcel included within the zoning boundary were notified per Texas Local Government Code (LGC) Section 211.006. Comal Independent School District was also notified of the proposed zoning. At the time of this staff report one (1) response in favor, zero (0) responses neutral, and zero (0) responses in opposition have been received. A public hearing notice was published in the "San Antonio Express" on November 13, 2024. Additionally, public hearing notice signs were placed along FM 482.

A public hearing was held at the November 6, 2024 Planning and Zoning Commission meeting.

The City of Schertz Fire, EMS, and Police Departments were notified of the proposed zone change

and have provided no objections.

GOAL

The proposed request is to establish a zoning designation for approximately 3.014 acres, specifically, Agricultural District (AD). The goal is to zone these subject properties in conformance with the Comprehensive Land Use Plan - Future Land Use Map and the existing land uses on the subject properties and to be consistent with the rest of the properties that were annexed and zoned to Agricultural District (AD) in July of 2024 and the proposed immediately adjacent properties actively going through the zoning process to Agricultural District (AD).

COMMUNITY BENEFIT

Promote the safe, orderly, efficient development and ensure compliance with the City's vision of future growth.

SUMMARY OF RECOMMENDED ACTION

Per UDC Article 5 Section 21.5.4.D: The Planning and Zoning Commission, in making its recommendation, and the City Council, in considering final action on a zoning change, should consider the following criteria:

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

Ordinance 24-S-159 is proposed to zone approximately 3.014 acres to Agricultural District (AD) based on the subject property's existing land use, the property's location, and the designation on the Future Land Use Map as adopted by Ordinance 24-S-06. Comal County Property Identification Number 79004 is identified as Development Deferment which is typically utilized for large tracts that house heavy industrial. Development Deferment is utilized for sites that should be reconsidered for applicable land uses in future Future Land Use Map updates. Although the subject parcel is identified as Development Deferment, the proposed Agricultural District (AD) is consistent with the Comprehensive Land Use designation. The Future Land Use Map within the Comprehensive Land Use Plan is a guiding document for determining appropriate land uses and development types for the future vision of Schertz. However, the existing conditions and existing land uses need to be considered when reviewing zoning applications. The proposed zoning is not based on a proposed development, but strictly due to the annexation of the subject parcel into the City of Schertz. If the subject property were proposed to be developed in the future, the zoning designation will also need to be reviewed in conjunction with the Comprehensive Land Use Plan and Future Land Use Map.

2. Whether the proposed zoning change 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. Agricultural District (AD) is intended to be a base zoning district for agricultural and residential land uses. Residences in this district are intended to be on a minimum lot size of 217,800 square feet (five acres). Clustering of up to two homes may be allowed on the same lot subject to setback requirements. This District is suitable for areas where development is premature due to lack of utilities, capacity or service, and for areas that are unsuitable for development because of physical restraints or potential health or safety hazards. The proposed zoning district designation is compatible with the surrounding land uses and existing zoning designations of the surrounding properties. The subject property is owned by the same property owner as the surrounding properties which are going through the zoning

process, also to the Agricultural District (AD) due to their annexation in July 2024. The proposed Agricultural District (AD) would allow the agricultural operations to remain in a conforming status.

3. Whether the uses permitted by the proposed change will be consistent and appropriate with existing uses in the immediate area;

The subject parcel is currently utilized for agricultural purposes. The proposed zoning designation of Agricultural District (AD) is appropriate in the immediate area of the land to be zoned. Since the proposed zoning designation is based on conformance with the Comprehensive Land Use Plan- Future Land Use Map and with the existing land uses on the subject properties, the subject properties' land use will be in conformance with the proposed zoning designation of Agricultural District (AD). The proposed zoning designation is appropriate in the immediate area of the land to be zoned.

4. Whether other factors are deemed relevant and important in the consideration of the amendment.

Per Resolution 24-R-81, the Development Agreement between the City of Schertz and Timothy and Sharelene Fey, approved July 16, 2024, states "City agrees that the Agricultural Tract shall be permanently zoned simultaneously with annexation of the Property". Since the subject 3.014 acres is utilized for agricultural purposes the agreement states that it is subject to annexation. At the October 15, 2024 City Council meeting Resolution 24-R-131 initiated the annexation process. Since the acreage is now going through the annexation process, per the Development Agreement the City has agreed to establish a permanent zoning at the same time. The rest of the Fey's properties that were annexed in July of 2024, specifically Comal County 79006 and Comal County 79009 are actively going through the zoning process, starting with the public hearing held at the October 2, 2024 Planning and Zoning Commission meeting. By Ordinance 24-S-159 proposing to zone the 3.014 acres to Agricultural District (AD) if approved and the zoning for 79006 and 79009 if approved, would ensure that all of Timothy and Sharlene Fey's agricultural properties, with the exception of their residential homestead would be annexed into the City of Schertz and zoned Agricultural District (AD).

RECOMMENDATION

Staff Recommendation:

Due to the Development Agreement authorized by City Council and the annexation of the proposed 3.014 acres, it is best practice to have a zoning designation established for the subject property during the annexation process. The proposed zoning designation of Agricultural District (AD) is in conformance with the recently adopted Comprehensive Land Use Plan- Future Land Use Map and is consistent with the other properties that were annexed in July of 2024 and zoned Agricultural District (AD). Staff recommends approval of Ordinance 24-S-159 to zone approximately 3.014 acres as Agricultural District (AD).

Planning and Zoning Commission Recommendation:

The Planning and Zoning Commission conducted a public hearing at the November 6, 2024 Planning and Zoning Commission Meeting. The Commission made a unanimous recommendation of approval to the City Council on the proposed zoning.

Attachments

Ordinance 24-S-159 with Attachments
Zoning Exhibit

Public Hearing Notice Map
Public Hearing Responses
City Council Presentation Slides

ORDINANCE NO. 24-S-159

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AMENDING THE OFFICIAL ZONING MAP TO ZONE APPROXIMATELY 3.014 ACRES OF LAND TO AGRICULTURAL DISTRICT (AD) KNOWN AS A PORTION OF COMAL COUNTY PROPERTY IDENTIFICATION NUMBER 79004, COMAL COUNTY, TEXAS.

WHEREAS, an application to zone approximately 3.014 acres of land to Agricultural District (AD), known as a portion of Comal County Property Identification Number 79004, more specifically described in the Exhibit A and Exhibit B attached herein (herein, the “Property”) has been filed with the City; and

WHEREAS, the City’s Unified Development Code Section 21.5.4.D. provides for certain criteria to be considered by the Planning and Zoning Commission in making recommendations to City Council and by City Council in considering final action on a requested zone change (the “Criteria”); and

WHEREAS, on November 6, 2024, the Planning and Zoning Commission conducted a public hearing and, after considering the Criteria, made a recommendation to City Council of approval; and

WHEREAS, on December 3, 2024, the City Council conducted a public hearing and after considering the Criteria and recommendation by the Planning and Zoning Commission, determined that the requested zoning be approved as provided for herein.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS THAT:

Section 1. The Property as shown and more particularly described in the attached Exhibit A and Exhibit B, is hereby zoned Agricultural District (AD).

Section 2. The Official Zoning Map of the City of Schertz, described and referred to in Article 2 of the Unified Development Code, shall be revised to reflect the above amendment.

Section 3. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

Section 4. All ordinances and codes, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.

Section 5. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 6. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application

of such provision to other persons and circumstances shall nevertheless be valid, and the City hereby declares that this Ordinance would have been enacted without such invalid provision.

Section 7. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

Section 8. This Ordinance shall be effective upon the date of final adoption hereof and any publication required by law.

Section 9. This Ordinance shall be cumulative of all other ordinances of the City of Schertz, and this Ordinance shall not operate to repeal or affect any other ordinances of the City of Schertz except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which event such conflicting provisions, if any, are hereby repealed.

PASSED, APPROVED and ADOPTED ON this ____ of _____, 2024.

CITY OF SCHERTZ, TEXAS

Ralph Gutierrez, Mayor

ATTEST:

Sheila Edmondson, City Secretary

(city seal)

Exhibit "A"
Property Identification Exhibit

Exhibit "A": Property Identification Exhibit

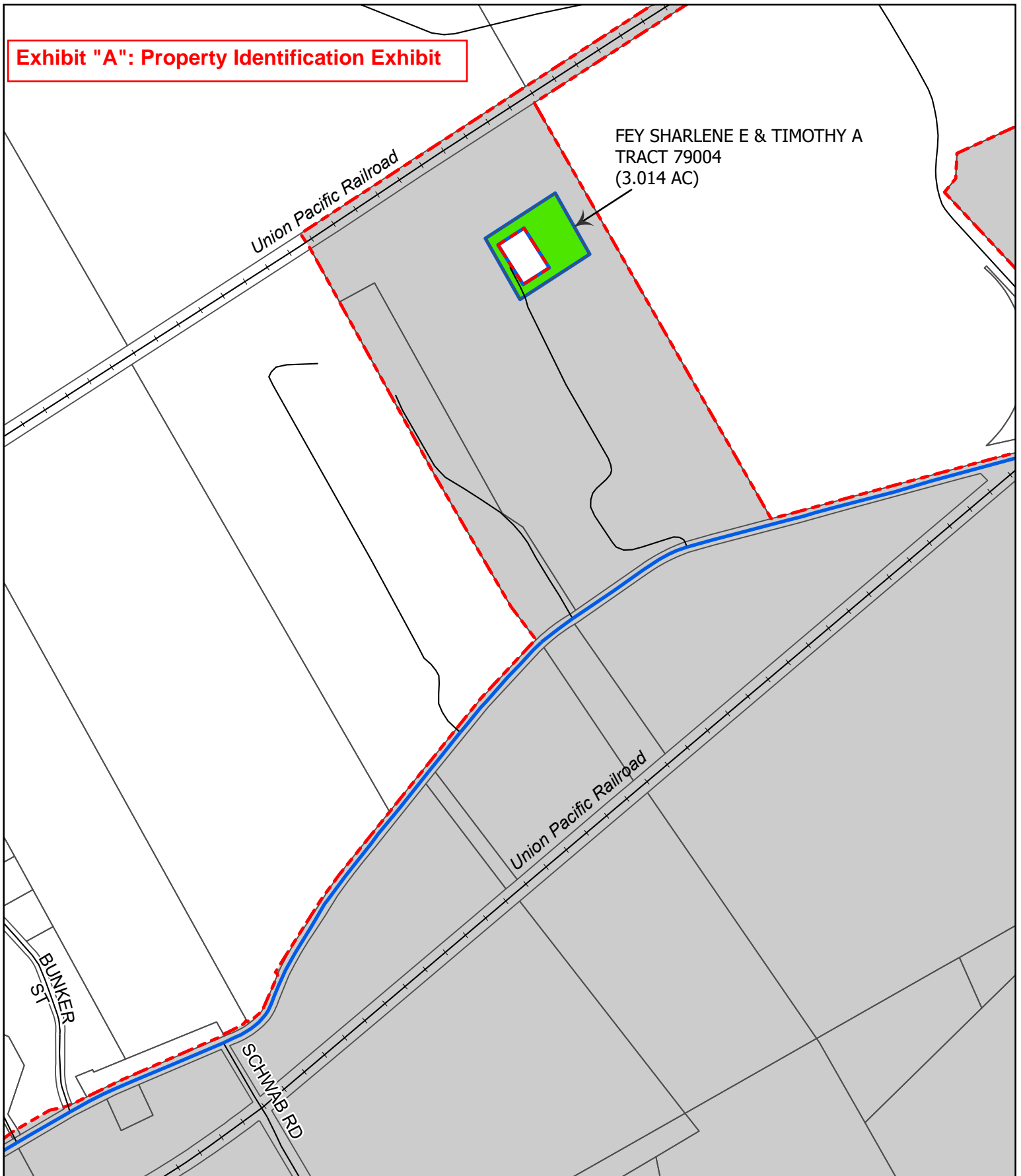
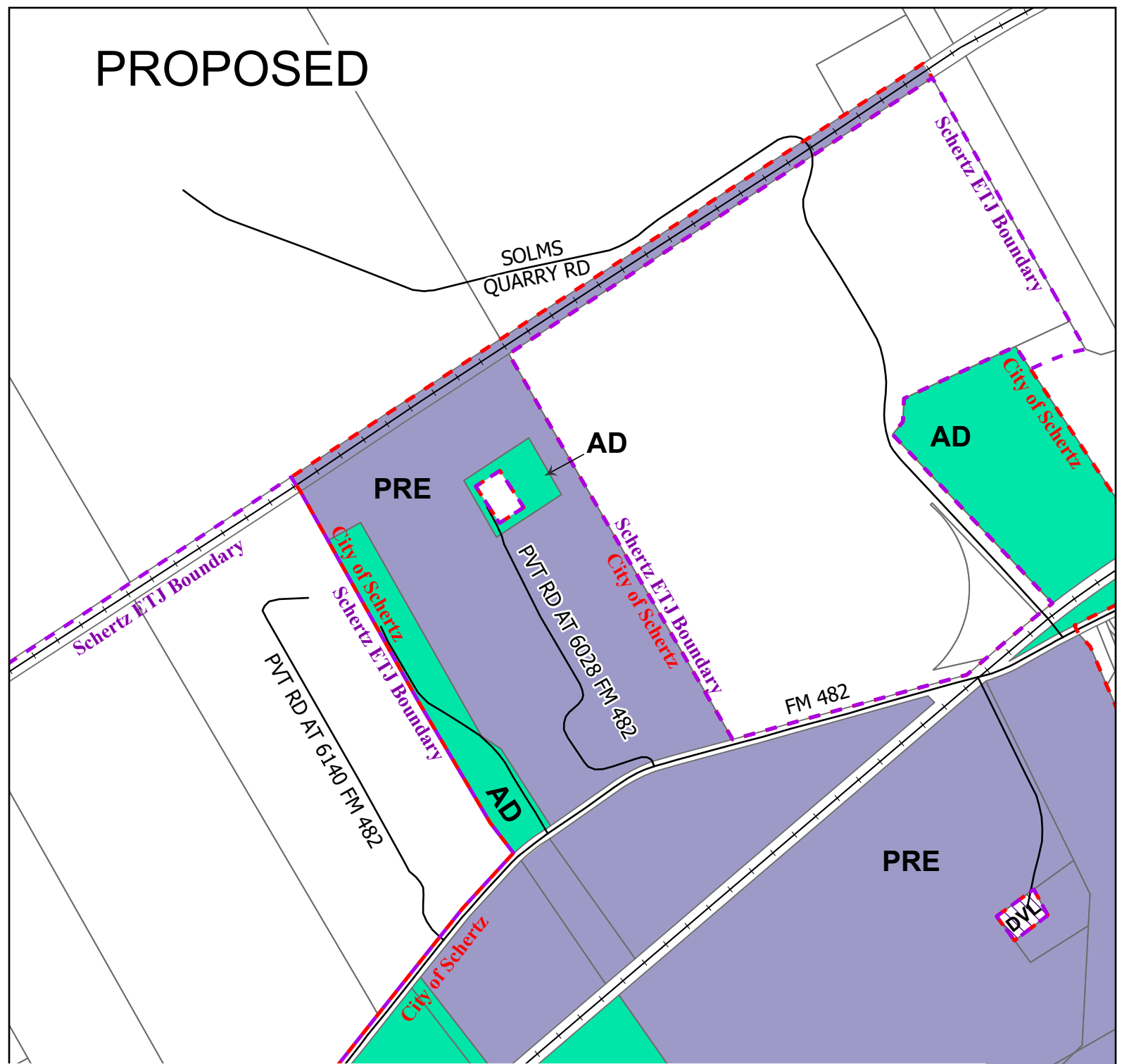
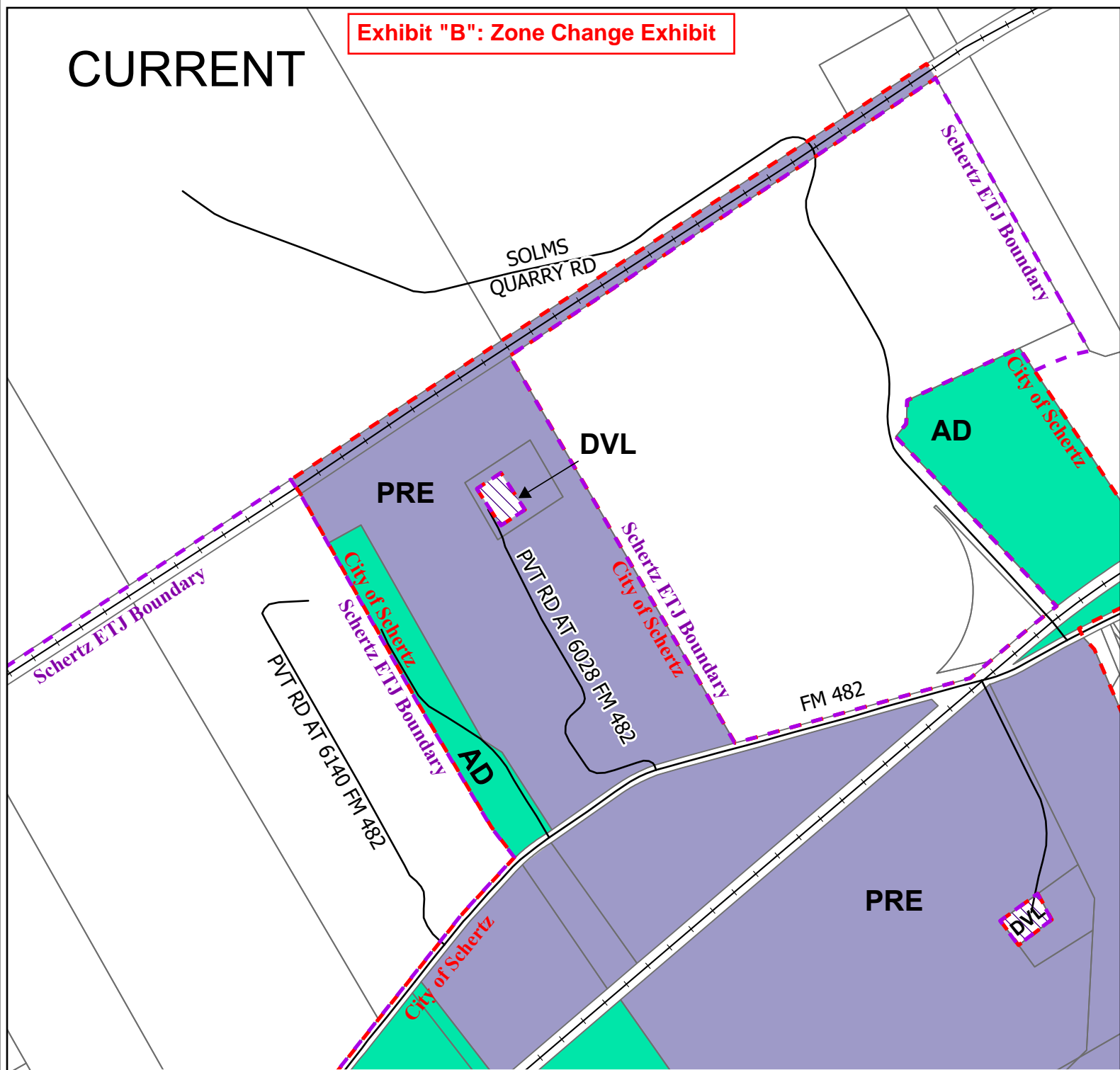


Exhibit "B"
Zone Change Exhibit

Exhibit "B": Zone Change Exhibit

CURRENT

PROPOSED

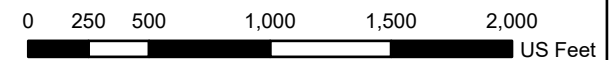
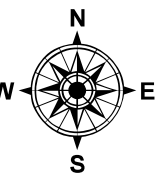


- | | | | | |
|--|--|--|------------------------------|--|
| (PRE) Pre-Development | (R-2) Single-Family Residential | (AD) Agricultural District | (GB) General Business | (MSMU-ND) Main Street Mixed Use New Development |
| (PDD) Planned Development | (R-3) Two-Family Residential | (GH) Garden Home/Single-Family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

**Proposed
Zoning Change**

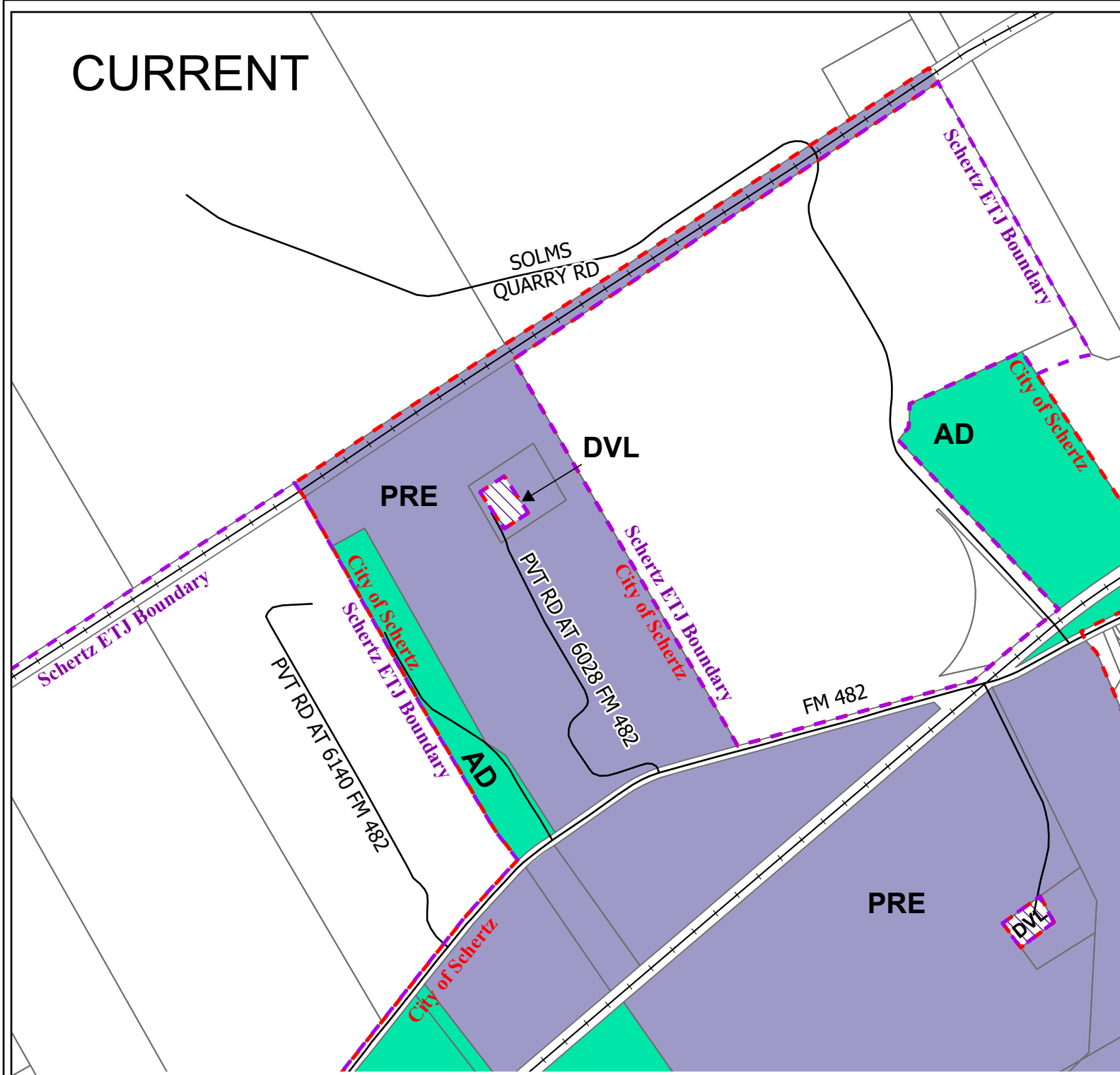
FEY TRACT (3.014 AC)

A-484 SUR- 99 F RODRIGUEZ, ACRES 4.014

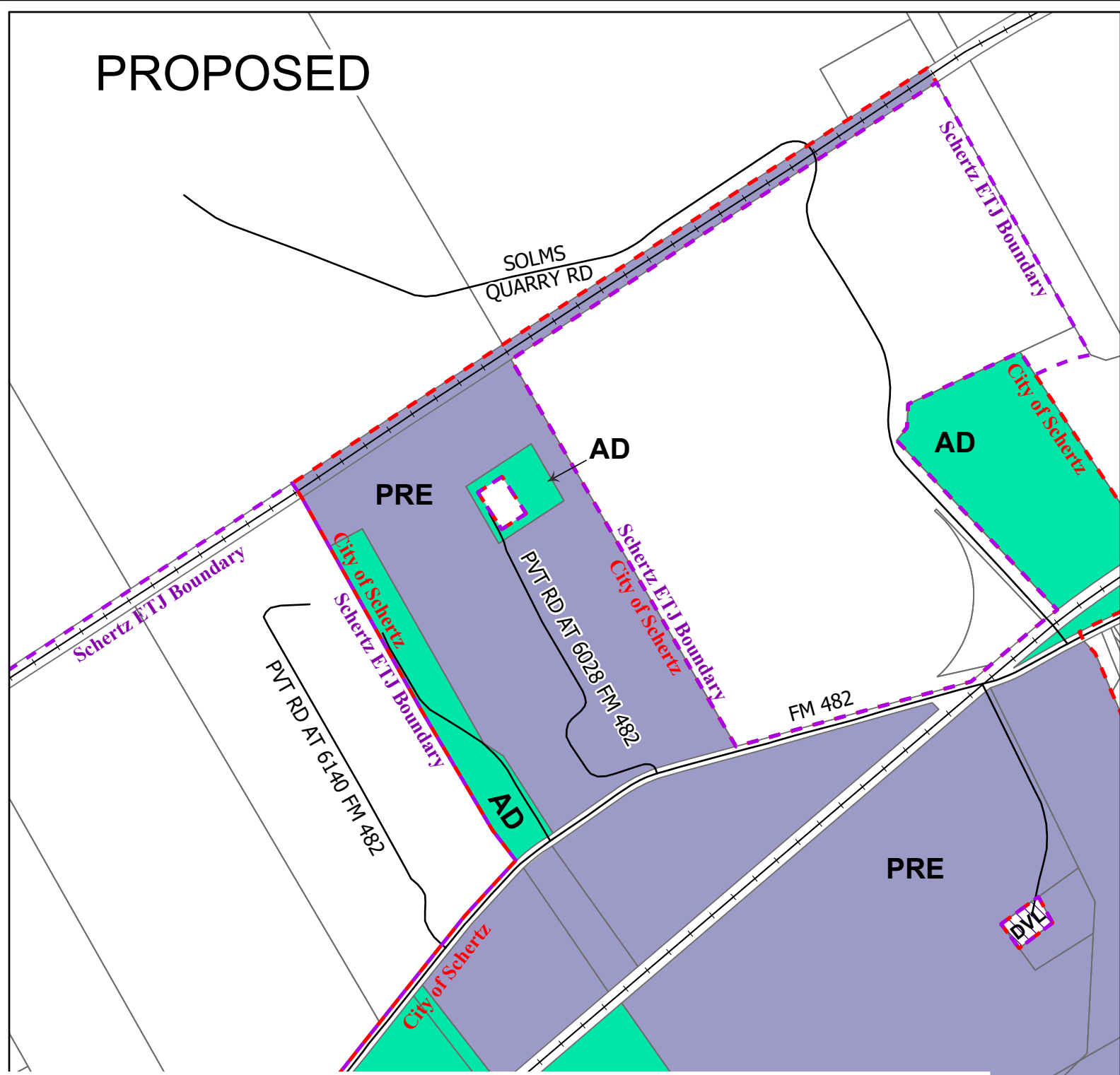


Last Update: November 7, 2024
 City of Schertz, GIS Department, gis@schertz.com (210) 619-1180
 This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

CURRENT



PROPOSED

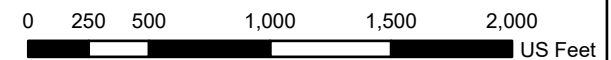
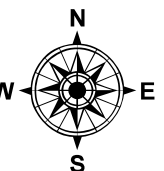


(PRE) Pre-Development	(R-2) Single-Family Residential	(AD) Agricultural District	(GB) General Business	(MSMU-ND) Main Street Mixed Use New Development
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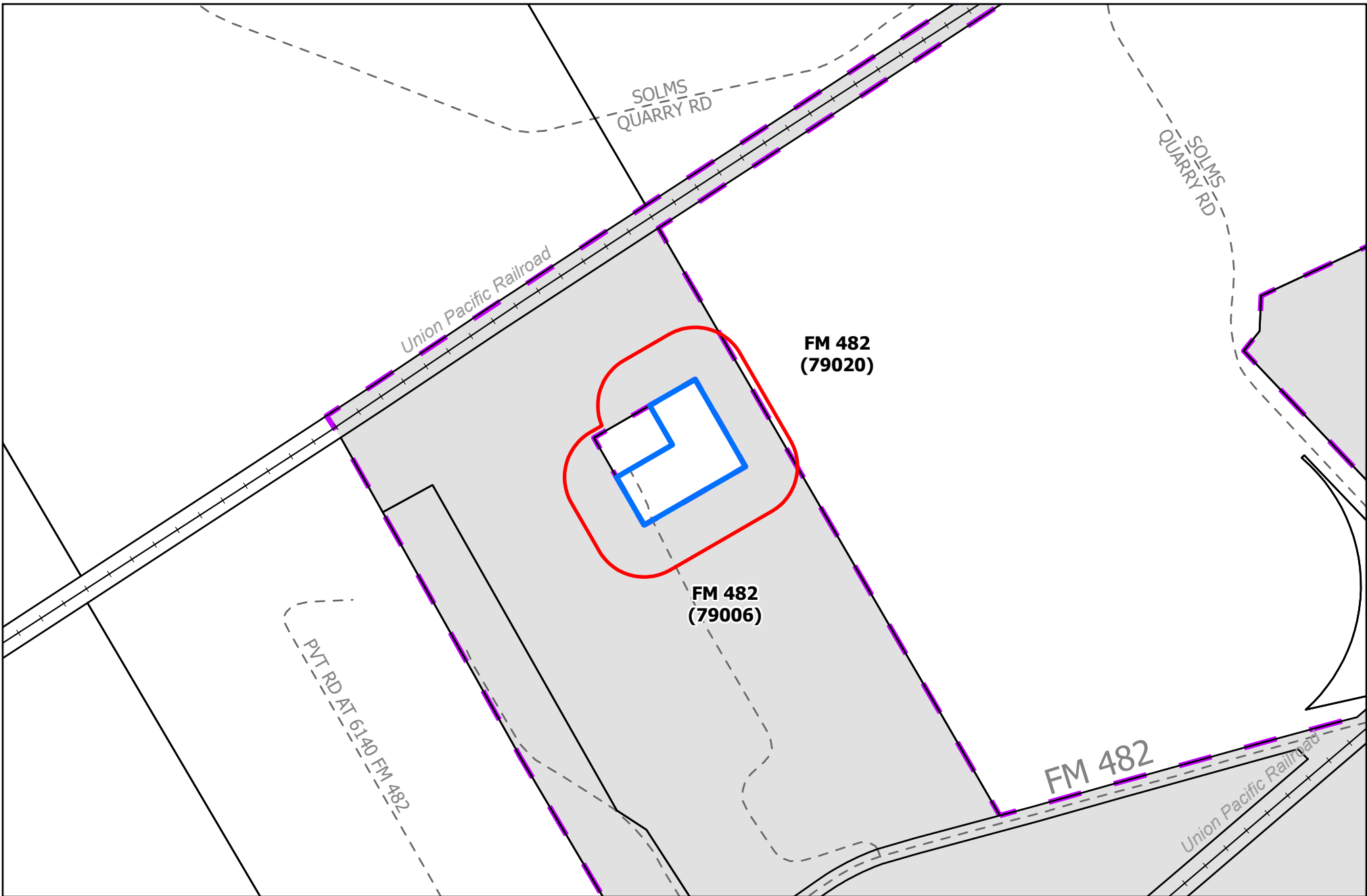
Proposed Zoning Change

FEY TRACT (3.014 AC)

A-484 SUR- 99 F RODRIGUEZ, ACRES 4.014






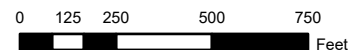
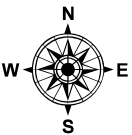
Last Update: November 7, 2024
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City of Schertz

COMAL PROPERTY ID: 79004
A-484 SUR- 99 F RODRIGUEZ, ACRES 4.014

-  200' Buffer
-  Project Area
-  Municipal Boundaries



NOTICE OF PUBLIC HEARING

October 22, 2024

Dear Property Owner,

The Schertz Planning and Zoning Commission will conduct a public hearing on Wednesday, November 6, 2024 at 6:00 p.m. located at the Municipal Complex Council Chambers, 1400 Schertz Parkway, Building #4, Schertz, Texas to consider and make a recommendation on the following item:

PLZC20240237- Hold a public hearing and make a recommendation on a request to rezone approximately 3.014 acres of land to Agricultural District (AD), more specifically known as a portion of Comal County Property Identification Number 79004, Comal County, Texas.

The Planning and Zoning Commission would like to hear how you feel about this request and invites you to attend the public hearing. You may return the reply form below by mail or personal delivery to Emily Delgado, Planning Manager, 1400 Schertz Parkway, Schertz, Texas 78154, or by e-mail: planning@schertz.com. If you have any questions, please feel free to call Emily Delgado, Planning Manager at (210) 619-1784.

Sincerely,

Emily Delgado

Emily Delgado
Planning Manager

Reply Form:

City Council will have two readings on the request after the recommendation from the Planning and Zoning Commission. This form is used to calculate the protest in accordance with LGC, Local Government Code 211.006(d). The written protest must be received by City no later than noon (central time) on the Friday before each reading by the City Council. If the name of the person signing this form does not match the name listed as the owner on the appraisal district website, proof of ownership is required in order for this to count towards the protest.

I am: in favor of [checked] opposed to [] neutral to [] the request for PLZC20240237

COMMENTS:

NAME: SHARLENE FEY (PLEASE PRINT) SIGNATURE: Sharlene Fey

STREET ADDRESS: 6028 Fm 482, New Braunfels TX 78132

DATE: 10/29/2024

Ordinance 24-S-159

Approximately 3.014-acre zoning to Agricultural District (AD)

A portion of Comal County Property ID: 79004

Emily Delgado | Planning Manager

Background

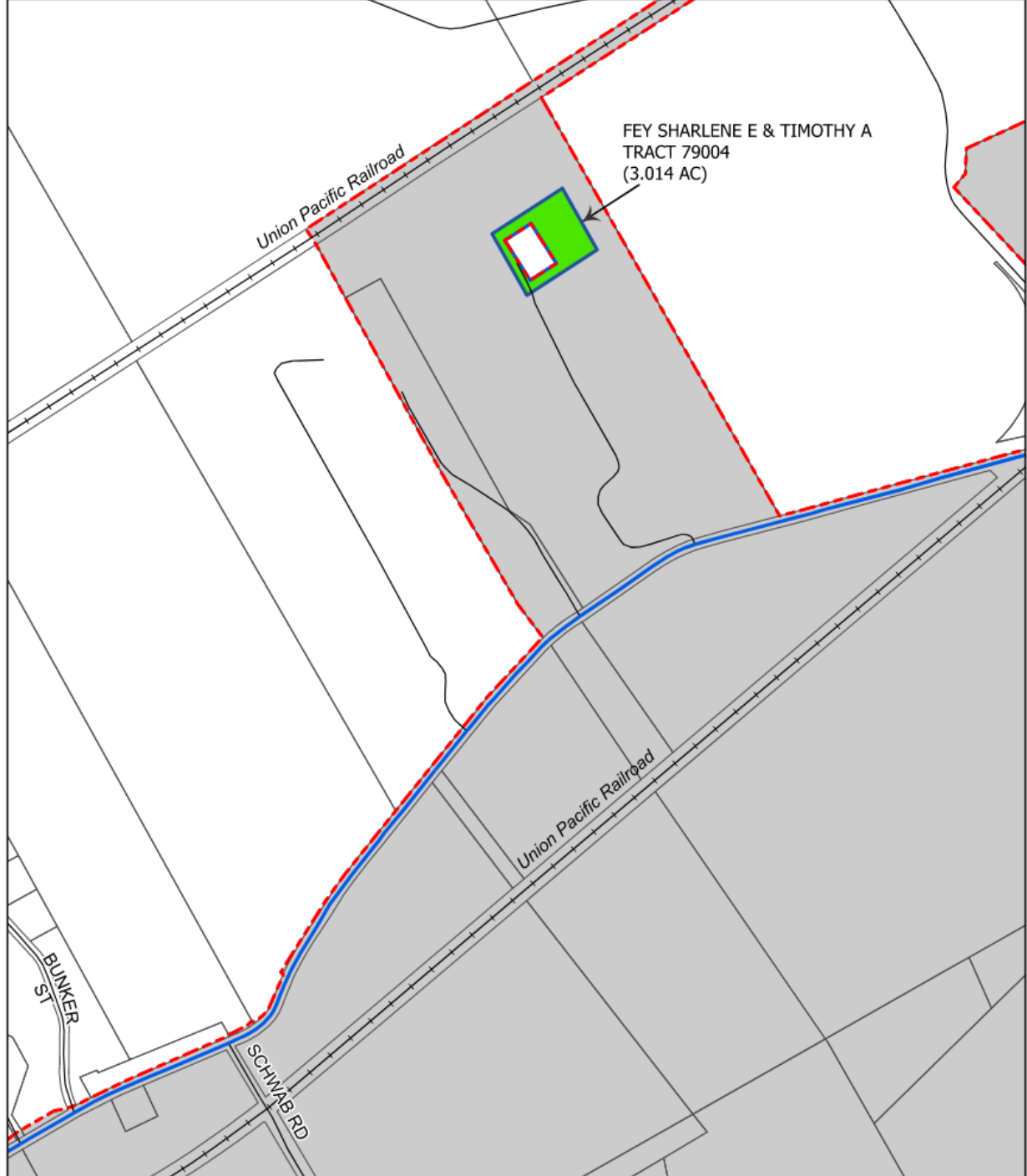
- In July of 2024 the City of Schertz City Council approved ordinances to annex over 3,107 acres into the City of Schertz based on expiring Delayed Annexation Development Agreements. As part of that process, Comal County Property Identification numbers 79004, 79006, and 79009 owned by Timothy A. Fey and Sharlene E. Fey were scheduled to be annexed and zoned.
- However, as part of that annexation effort, City Council approved Resolution 24-R-81 which authorized the approval of a Development Agreement with Timothy A. Fey and Sharlene E. Fey.
- The Fey's own approximately 100.535 acres of property, of which approximately 1 acre is utilized as their homestead and the remainder is used for agricultural purposes.
- As part of the agreement, the property owner authorized the annexation of the agricultural land, while the residential land was to remain in the ETJ.
- Based on the agreement's terms, on July 16, 2024, in addition to approving resolution 24-R-81, City Council also approved Ordinance 24-A-49 and 24-A-50, which annexed Comal County Property IDs 79006, and 79009, or the agricultural tracts.

Background

- However, Comal County Property Identification Number 79004 is only partially utilized for residential. Per the agreement, only 1-acre of the approximately 4.0-acre tract is utilized for residential, while the remaining 3.014-acres is used for agricultural purposes.
- Based on the conditions of the agreement, due to the 3.014-acres not being used for residential purposes, the City is proceeding forward with annexation and zoning of the agricultural portion of Comal County Property ID 79004.
- At the October 15, 2024, City Council meeting, Resolution 24-R-131 was approved accepting the voluntary annexation petition and starting the annexation process.
- The purpose of Ordinance 24-S-159 is to establish a zoning designation for Comal County Parcel ID 79004 while it is going through the annexation process.

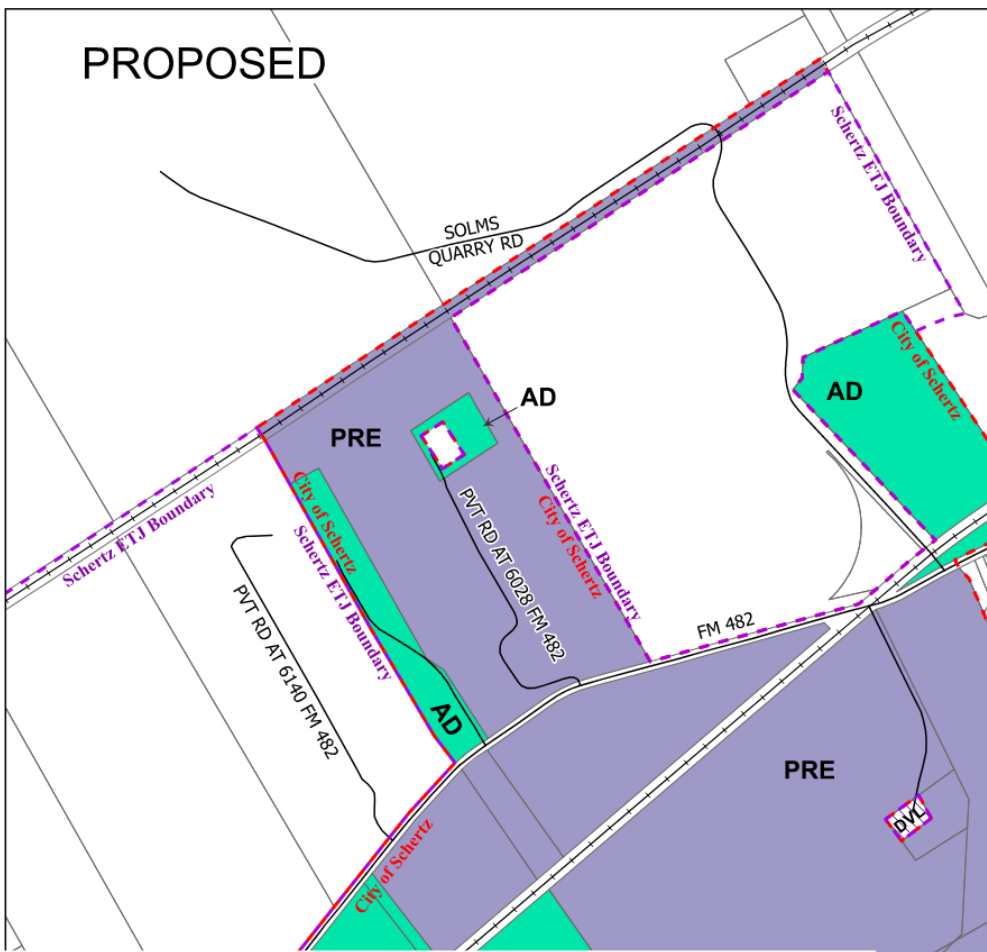
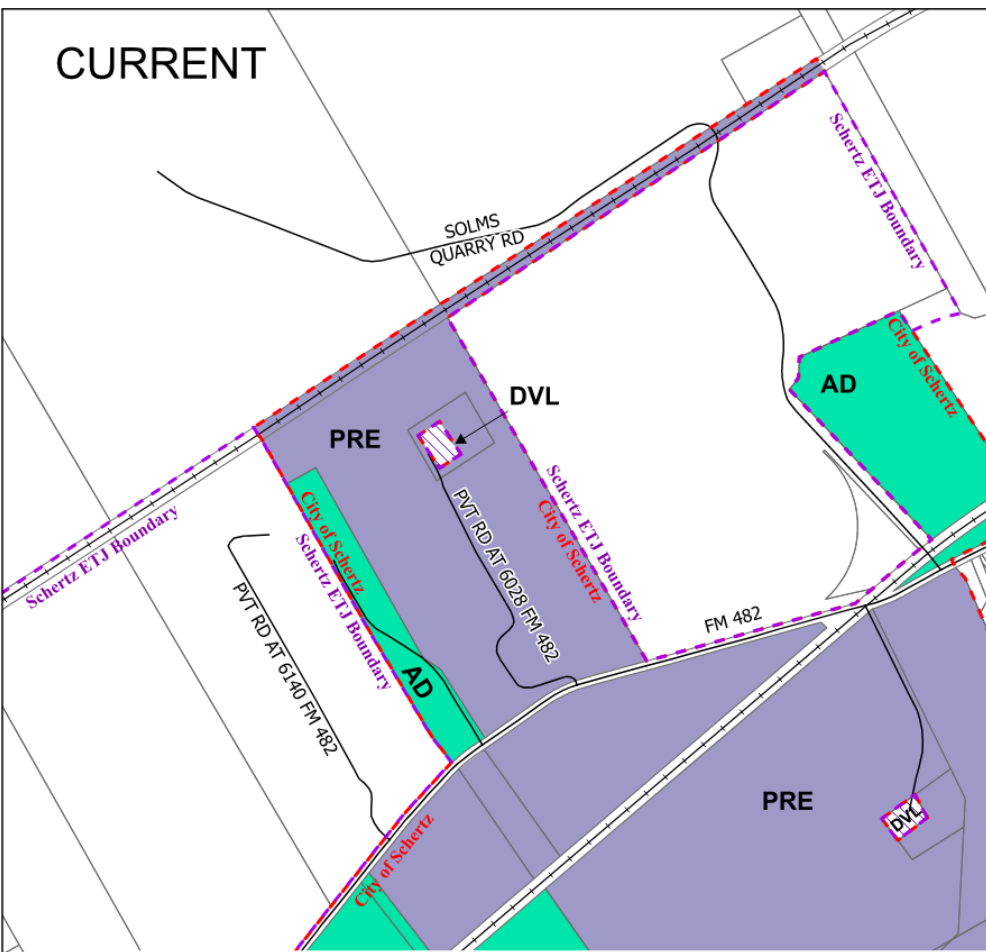


- **Comal County Property ID 79004**
- **4.014 acres**
 - **3.014 acres= Agricultural**
 - **1 acre = Residential**
- **Utilized for agricultural purposes**
- **Currently not in the City limits and is going through the voluntary annexation process.**



CURRENT

PROPOSED



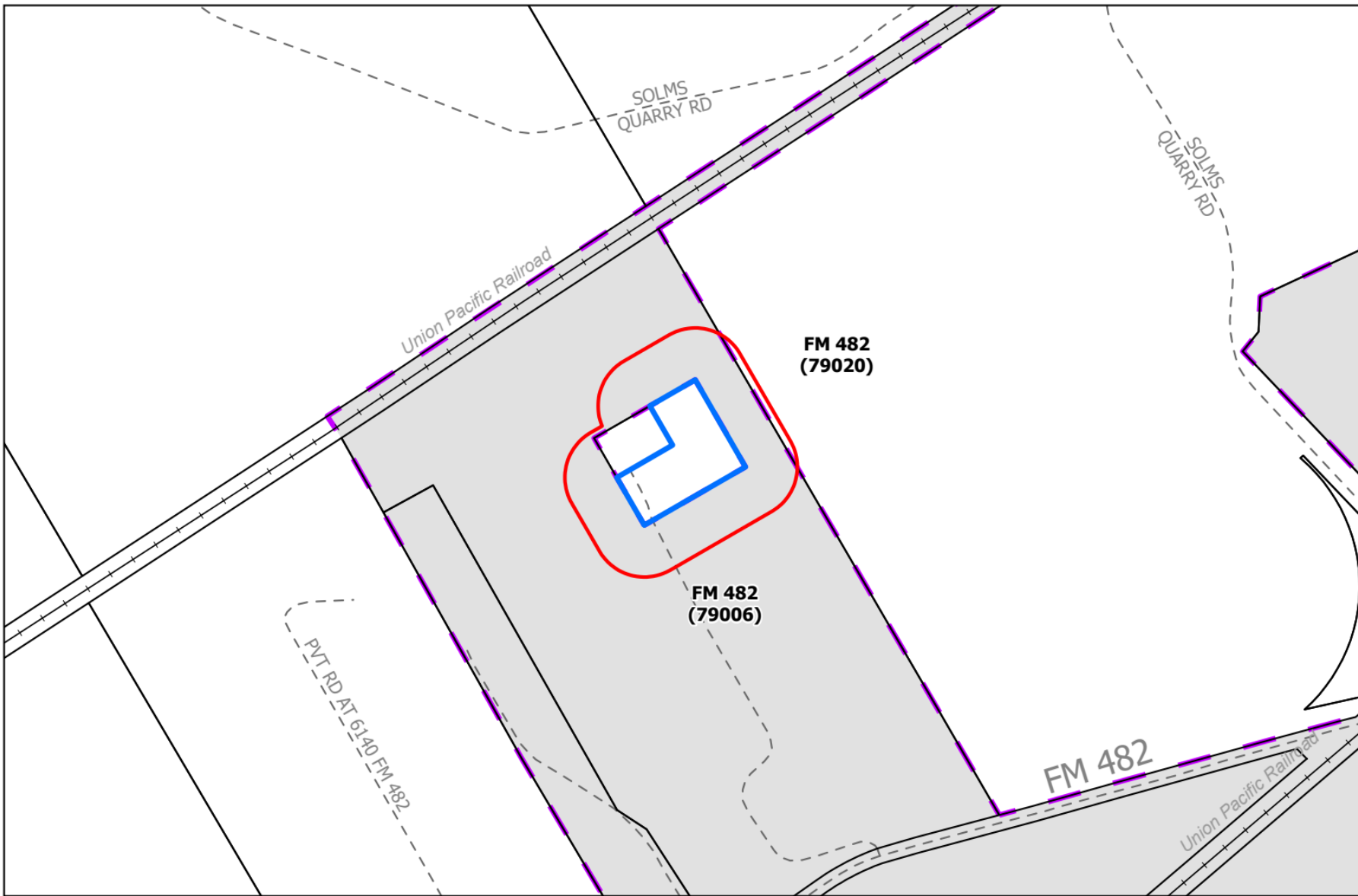
- | | | | | |
|--|--|--|------------------------------|--|
| (PRE) Pre-Development | (R-2) Single-Family Residential | (AD) Agricultural District | (GB) General Business | (MSMU-ND) Main Street Mixed Use New Development |
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| (PUB) Public Use | (R-4) Apartment/Multi-Family Residential | (TH) Townhome | (NS) Neighborhood Services | (M-2) Manufacturing (Heavy) |
| (R-A) Single-family Residential/Agricultural | (R-6) Single-family Residential | (MHS) Manufactured Home Subdivision | (OP) Office and Professional | (DVL) Development Agreement (Delayed Annexation) |
| (R-1) Single-Family Residential | (R-7) Single-family Residential | (MHP) Manufactured Home Parks | (MSMU) Main Street Mixed Use | <all other values> |

Proposed Zoning Change

FEY TRACT (3.014 AC) A-484 SUR- 99 F RODRIGUEZ, ACRES 4.014



Last Update: November 7, 2024
 City of Schertz, GIS Department, gis@schertz.com (210) 619-1180
 This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.



- 2 notices were sent on 10.22.24
 - (1) in favor
 - (0) Neutral
 - (0) in Opposition
- A public hearing notice will be published in the “San Antonio Express” before City Council
- Public Hearing notice sign was placed.
- Comal ISD was notified of the proposed zoning.

SCHERTZ
COMMUNITY • SERVICE • OPPORTUNITY

Last update: September 27, 2024

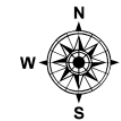
City of Schertz, GIS Department, gis@schertz.com (210) 619-1174
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

City of Schertz

COMAL PROPERTY ID: 79004

A-484 SUR- 99 F RODRIGUEZ, ACRES 4.014

- 200' Buffer
- Project Area
- Municipal Boundaries



0 125 250 500 750
Feet

SCHERTZ
COMMUNITY. SERVICE. OPPORTUNITY.

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;

- Ordinance 24-S-159 is proposed to zone approximately 3.014 acres to Agricultural District (AD) based on the subject property's existing land use, the property's location, and the designation on the Future Land Use Map as adopted by Ordinance 24-S-06.
- Comal County Property Identification Number 79004 is identified as Development Deferment which is typically utilized for large tracts that house heavy industrial.
- Development Deferment is utilized for sites that should be reconsidered for applicable land uses in Future Land Use Map updates.
- Although the subject parcel is identified as Development Deferment, the proposed Agricultural District (AD) is consistent with the Comprehensive Land Use designation.



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

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 Future Land Use Map within the Comprehensive Land Use Plan is a guiding document for determining appropriate land uses and development types for the future vision of Schertz.
- However, the existing conditions and existing land uses need to be considered when reviewing zoning applications.
- The proposed zoning is not based on a proposed development, but strictly due to the annexation of the subject parcel into the City of Schertz. If the subject property were proposed to be developed in the future, the zoning designation will also need to be reviewed in conjunction with the Comprehensive Land Use Plan and Future Land Use Map.

UDC SECTION 21.5.11.D Criteria for Approval

2. Whether the proposed zoning change 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.
- Agricultural District (AD) is intended to be a base zoning district for agricultural and residential land uses. Residences in this district are intended to be on a minimum lot size of 217,800 square feet (five acres). Clustering of up to two homes may be allowed on the same lot subject to setback requirements.
- This District is suitable for areas where development is premature due to lack of utilities, capacity or service, and for areas that are unsuitable for development because of physical restraints or potential health or safety hazards.
- The proposed zoning district designation is compatible with the surrounding land uses and existing zoning designations of the surrounding properties. The subject property is owned by the same property owner as the surrounding properties which are currently going through the zoning process due to their annexation in July 2024. The proposed Agricultural District (AD) would allow the agricultural operations to remain in a conforming status.

UDC SECTION 21.5.11.D Criteria for Approval

3. Whether the uses permitted by the proposed change will be consistent and appropriate with existing uses in the immediate area;

- The subject parcel is currently utilized for agricultural purposes.
- The proposed zoning designation of Agricultural District (AD) is appropriate in the immediate area of the land to be zoned.
- Since the proposed zoning designation is based on conformance with the Comprehensive Land Use Plan- Future Land Use Map and with the existing land uses on the subject properties, the subject properties' land use will be in conformance with the proposed zoning designation of Agricultural District (AD).
- The proposed zoning designation is appropriate in the immediate area of the land to be zoned.

UDC SECTION 21.5.11.D Criteria for Approval

4. Whether other factors are deemed relevant and important in the consideration of the amendment.

- Per Resolution 24-R-81, the Development Agreement between the City of Schertz and Timothy and Sharlene Fey, approved July 16, 2024, states "City agrees that the Agricultural Tract shall be permanently zoned simultaneously with annexation of the Property". Since the subject 3.014 acres is utilized for agricultural purposes the agreement states that it is subject to annexation.
- At the October 15, 2024 City Council meeting Resolution 24-R-131 initiated the annexation process. Since the acreage is now going through the annexation process, per the Development Agreement the City has agreed to establish a permanent zoning at the same time.
- The rest of the Fey's properties that were annexed in July of 2024, specifically Comal County 79006 and Comal County 79009 are actively going through the zoning process, starting with the public hearing held at the October 2, 2024 Planning and Zoning Commission meeting.
- By Ordinance 24-S-159 proposing to zone the 3.014 acres to Agricultural District (AD) if approved and the zoning for 79006 and 79009 if approved, would ensure that all of Timothy and Sharlene Fey's agricultural properties, with the exception of their residential homestead would be annexed into the City of Schertz and zoned Agricultural District (AD).

Recommendation

- Due to the Development Agreement authorized by City Council and the annexation of the proposed 3.014 acres, it is best practice to have a zoning designation established for the subject property during the annexation process.
- The proposed zoning designation of Agricultural District (AD) is in conformance with the Comprehensive Land Use Plan- Future Land Use Map and is consistent with the other properties that were annexed in July of 2024 and zoned Agricultural District (AD).
- Staff recommends approval of Ordinance 24-S-159 to establish a zoning designation of Agricultural District (AD) for approximately 3.014 acres.

Planning & Zoning Commission Recommendation

- The Planning and Zoning Commission met on Wednesday, November 6, 2024, held a public hearing and made a unanimous recommendation of approval with a 4-0 vote.

CITY COUNCIL MEMORANDUM

City Council Meeting: December 03, 2024

Department: Planning & Community Development

Subject: Ordinance 24-S-167 - Conduct a public hearing and consider a request to rezone approximately 100 acres of land from General Business District (GB) and Agricultural District (AD) to Manufacturing Light District (M-1) and Apartment / Multifamily Residential District (R-4) generally located at the intersection of Schwab Road and IH 35, more specifically known as Comal County Property Identification Numbers 79017, 75463, 79018, and 75468, City of Schertz, Comal County, Texas. (B.James/L.Wood/S.Haas)

BACKGROUND

Per the applicant's letter of intent, the property owner is proposing to rezone approximately 80.8 acres in the rear of the property, abutting the railroad, to be rezoned to Manufacturing Light District (M-1) to allow for a phased industrial development. Additionally, the applicant is proposing to rezone approximately 19.2 acres to Apartment / Multifamily District (R-4) to allow a 350-unit apartment complex.

On October 25, 2024, 7 public hearing notices were mailed to the surrounding properties within a 200-foot notification boundary of the subject property. At the time of the staff report, zero (1) response in favor, zero (1) response neutral, and zero (0) responses in opposition have been received. A public hearing notice was published in the "San Antonio Express" on November 13, 2024. Additionally, one (1) sign was placed on the subject property. The City of Schertz Police, Fire and EMS Departments have indicated they do not have any concerns regarding the proposed rezoning request.

Subject Property:

	Zoning	Land Use
Existing	Agricultural District (AD) & General Business District (GB)	Undeveloped
Proposed	Manufacturing Light District (M-1) & Apartment / Multifamily District (R-4)	Industrial Development and Multifamily Complex

Adjacent Properties:

	Zoning	Land Use
North	Agricultural District (AD) & Right of Way	Undeveloped, Union Pacific Railroad
South	General Business District (GB) & Right of Way	Undeveloped, IH 35
East	Pre-Development District (PRE), General Business - 2 District (GB-2) & General Business District (GB)	Undeveloped

West	Agricultural Development District (AD), Manufacturing Light District (M-1), & General Business District (GB)	Undeveloped
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GOAL

Per the applicant's letter of intent, the property owner is proposing to rezone approximately 80.8 acres in the rear of the property, abutting the railroad, to be rezoned to Manufacturing Light District (M-1) to allow for a phased industrial development. Additionally, the applicant is proposing to rezone approximately 19.2 acres to Apartment / Multifamily District (R-4) to allow a 350-unit apartment complex.

COMMUNITY BENEFIT

It is the City’s desire to promote safe, orderly, efficient development and ensure compliance with the City’s vision of future growth.

SUMMARY OF RECOMMENDED ACTION

When evaluating Zone Change applications, staff uses the Criteria for Approval located in UDC Section 21.5.4.D.

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

The Comprehensive Plan designates this area as "Regional Corridor", which is intended to provide commercial and entertainment areas along major thoroughfares. Larger multifamily complexes may also be appropriate for Regional Corridor. For this reason, the proposed zone change is consistent with the Comprehensive Plan. Additionally, due to the proximity to IH 35, some warehousing and logistics activity may be appropriate within Regional Corridor as well.

2. Whether the proposed zoning change promotes the health, safety, and general welfare of the City.

As part of promoting health, safety, and general welfare, zone change requests should align with the Unified Development Code (UDC) and city policy. Manufacturing Light Districts (M-1) are intended to provide a suitable area for the development of light industrial, assembly and manufacturing, warehouse and distribution facilities. These facilities should not emit dust, odor, smoke, gas or fumes, or any other hazardous elements which are detectable beyond the boundary of the property. Due to the traffic generated by such uses, these districts should be located on arterial streets. The proposed Manufacturing Light District (M-1) location, at the rear of the property and co-located near similar uses, meets the intent of the UDC.

Additionally, the UDC was recently amended on October 22, 2024, with City Council's approval of Ordinance 24-S-156. This new text to the UDC explicitly states that Apartment / Multifamily Districts (R-4) "shall not be located in areas where they would increase traffic with access through single-family neighborhoods and shall be located adjacent to arterial streets". IH 35 meets and exceeds this criteria of roadway classification. Additionally, Schwab Road is classified as a Principal Arterial, giving the proposed development potential access to an additional major thoroughfare.

3. Whether the uses permitted by the proposed change will be consistent and appropriate with existing uses in the immediate area;

The immediate area is either largely undeveloped, residential, or has industrial uses. Across Schwab Road to the west, are two large industrial/distribution centers. Also, across IH 35 on the highway frontage is the Cypress Point subdivision. The proposed location of the Manufacturing Light District (M-1) and the uses permitted within, is generally appropriate at this location. The proposed

Apartment / Multifamily District (R-4) being on the frontage of IH 35 is consistent with other residential uses within the immediate area.

4. Whether other factors are deemed relevant and important in the consideration of the amendment.

This area of Schertz has developed slowly due to the developmental challenges of extending infrastructure. Additionally, many properties in this area were only recently annexed into the City of Schertz. A large development such as this would help foster future proposals as developing this site would require significant infrastructure investment. Staff views a development such as this as potentially catalytic and thus benefiting the overall welfare of Schertz.

For these reasons, staff is recommending approval of Ord. 24-S-167.

The Planning and Zoning Commission held a public hearing on November 6, 2024 and made a recommendation of approval with a 4-0 vote.

RECOMMENDATION

Approval of Ordinance 24-S-167

Attachments

- Ord. 24-S-167 with Attachments
- Aerial Exhibit
- Zoning Exhibit
- Public Hearing Notice Map
- Public Hearing Responses
- City Council Presentation Slides

ORDINANCE NO. 24-S-167

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS TO REZONE APPROXIMATELY 100 ACRES OF LAND FROM GENERAL BUSINESS DISTRICT (GB) AND AGRICULTURAL DISTRICT (AD) TO MANUFACTURING LIGHT DISTRICT (M-1) AND APARTMENT / MULTIFAMILY RESIDENTIAL DISTRICT (R-4), KNOWN AS COMAL COUNTY PROPERTY IDENTIFICATION NUMBERS 79017, 75463, 79018, AND 75468, GENERALLY LOCATED AT THE INTERSECTION OF SCHWAB ROAD AND IH 35, CITY OF SCHERTZ, COMAL COUNTY, TEXAS.

WHEREAS, an application for a request to rezone approximately 100 acres of land from General Business District (GB) and Agricultural District (AD) to Manufacturing Light District (M-1) and Apartment / Multifamily Residential District (R-4), known as Comal County property identification numbers 79017, 75463, 79018, and 75468, generally located at the intersection of Schwab Road and IH 35, City of Schertz, Comal County, Texas, more specifically described in the Exhibit A and Exhibit B attached herein (herein, the “Property”) has been filed with the City; and

WHEREAS, the City’s Unified Development Code Section 21.5.4.D. provides for certain criteria to be considered by the Planning and Zoning Commission in making recommendations to City Council and by City Council in considering final action on a requested zoning (the “Criteria”); and

WHEREAS, on November 6, 2024, the Planning and Zoning Commission conducted a public hearing and, after considering the Criteria, made a recommendation to City Council to approve the requested zoning; and

WHEREAS, on December 3, 2024, the City Council conducted a public hearing and after considering the Criteria and recommendation by the Planning and Zoning Commission, determined that the requested zoning be approved as provided for herein.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS THAT:

Section 1. The Property as shown and more particularly described in the attached Exhibit A and Exhibit B, is hereby zoned to Manufacturing Light District (M-1) and Apartment / Multi-Family District (R-4)

Section 2. The Official Zoning Map of the City of Schertz, described and referred to in Article 2 of the Unified Development Code, shall be revised to reflect the above amendment.

Section 3. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

Section 4. All ordinances and codes, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and

the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.

Section 5. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 6. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City hereby declares that this Ordinance would have been enacted without such invalid provision.

Section 7. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

Section 8. This Ordinance shall be effective upon the date of final adoption hereof and any publication required by law.

Section 9. This Ordinance shall be cumulative of all other ordinances of the City of Schertz, and this Ordinance shall not operate to repeal or affect any other ordinances of the City of Schertz except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which event such conflicting provisions, if any, are hereby repealed.

PASSED, APPROVED and ADOPTED on this ____ day of _____ 2024.

CITY OF SCHERTZ, TEXAS

Ralph Gutierrez, Mayor

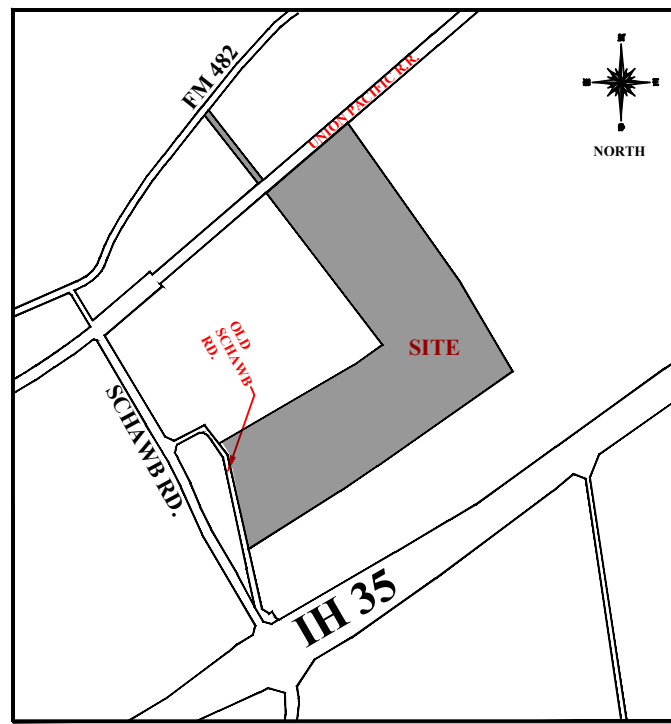
ATTEST:

Sheila Edmondson, City Secretary

(city seal)

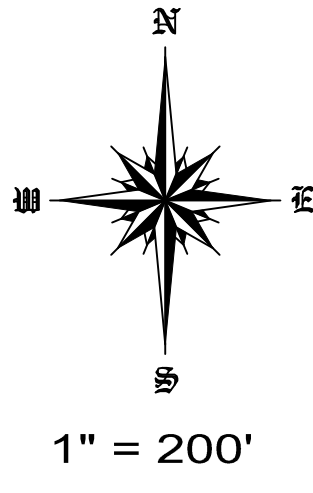
Exhibit "A"

Metes & Bounds



- LEGEND**
- X = WIRE FENCE
 - = CONCRETE
 - = ASPHALT EDGE
 - = POWER POLE
 - = OVERHEAD ELECTRIC
 - (R) = (RECORD)
 - (F) = (FIELD)
- NOTES:**
- IRF: FOUND PINS ARE 1/2" REBAR UNLESS OTHERWISE NOTED.
 - IRS: ALL SET PINS ARE 1/2" REBAR WITH A YELLOW PLASTIC CAP STAMPED "FORD ENG. INC." UNLESS OTHERWISE NOTED.
- DRCCCT = DEED RECORDS, COMAL COUNTY, TEXAS.
OPRCCCT = OFFICIAL PUBLIC RECORDS, COMAL COUNTY, TEXAS.

Exhibit "A" Metes and Bounds



FLOOD NOTE: A PORTION OF THE PROPERTY DEPICTED HEREON IS IN ZONE A. AREAS OF NO BASE ELEVATIONS DETERMINED, AND ZONE X AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, PER FIRM MAP No. 48010404R DATED SEPTEMBER 02, 2009 (REVISED TO REFLECT LOMR ON DATE: DECEMBER 22, 2009). FEMA WAS THE ONLY FLOOD INFORMATION SOURCE USED FOR THIS SURVEY.

PHILAN-BENNETT, LLC
MISSION TITLE, LP
FIDELITY NATIONAL TITLE COMPANY
GF No. 2101065-18
EFFECTIVE DATE: FEBRUARY 09, 2021.
ISSUE DATE: MARCH 03, 2021.

SURVEY RELATED SCHEDULE B ITEMS FOR THIS SURVEY

- 10(a) ANY VISIBLE AND APPARENT ROADWAY OR EASEMENT OVER OR ACROSS THE SUBJECT PROPERTY, THE EXISTENCE OF WHICH DOES NOT APPEAR OF RECORD. (NONE FOUND DURING THE FIELD DATA COLLECTION)
- 10(f) ANY PORTION OF SUBJECT PROPERTY LYING WITHIN THE BOUNDARIES OF A PUBLIC OR PRIVATE ROADWAY, WHETHER DEDICATED OR NOT. (PROPERTY BOUNDARY IS NOT ENCRoACHING PUBLIC OR PRIVATE ROADWAYS)
- 10(g) EASEMENT TO SOUTHWESTERN BELL DATED MAY 23, 1979 AND RECORDED IN VOLUME 282, PAGE 89 OF THE DEED RECORDS OF COMAL COUNTY, TEXAS. MODIFICATION RECORDED IN VOLUME 448, PAGE 10 OF THE DEED RECORDS OF COMAL COUNTY, TEXAS. (DOES NOT AFFECT SUBJECT TRACT)
- 10(h) EASEMENT AGREEMENT TO THE CITY OF SCHERTZ DATED FEBRUARY 19, 1991 AND RECORDED IN VOLUME 784, PAGE 193 OF THE DEED RECORDS OF COMAL COUNTY, TEXAS. (DOES AFFECT SUBJECT TRACT AS SHOWN)
- 10(i) DEED FOR CONTROLLED ACCESS HIGHWAY FACILITY TO THE STATE OF TEXAS DATED SEPTEMBER 9, 1998 AND RECORDED IN DOCUMENT NO. 9806027654 OF THE OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS. (DOES NOT AFFECT SUBJECT TRACT)
- 10(j) SPECIAL WARRANTY DEED TO THE CITY OF SCHERTZ, DATED FEBRUARY 27, 2008 AND RECORDED IN DOCUMENT NO. 20080608016 OF THE OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS. (DOES NOT AFFECT SUBJECT TRACT)
- 10(k) WATER LINE EASEMENT AGREEMENT BETWEEN SUSAN E. SEEKATZ, INDIVIDUALLY AND AS CO-EXECUTOR OF THE ESTATE OF ALICE SCHAEFER, DECEASED AND ADELHEID S. REEH, INDIVIDUALLY AND AS CO-EXECUTOR OF THE ESTATE OF ALICE A. SCHAEFER, DECEASED AND CENTRAL TEXAS REGIONAL WATER SUPPLY CORPORATION DATED DECEMBER 19, 2016 AND RECORDED IN DOCUMENT NO. 201706001386 OF THE OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS. (DOES AFFECT SUBJECT TRACT AS SHOWN)
- 10(l) CHANNEL EASEMENT TO THE STATE OF TEXAS DATED MAY 22, 1992 AND RECORDED IN VOLUME 100, PAGE 243 OF THE DEED RECORDS OF COMAL COUNTY, TEXAS. (DOES NOT AFFECT SUBJECT TRACT)
- 10(m) ELECTRIC TRANSMISSION LINE EASEMENT AS SET OUT IN JUDGEMENT DATED FEBRUARY 22, 1984, CAUSE No. 498C, COMAL COUNTY, TEXAS, AND RECORDED IN VOLUME 395, PAGE 745 OF THE DEED RECORDS OF COMAL COUNTY, TEXAS. (DOES AFFECT SUBJECT TRACT AS SHOWN)

REPORT OF FINDINGS:

- THE PROPERTY SHOWN ON THE SURVEY IS THE SAME PROPERTY AS DESCRIBED IN THE REFERENCED TITLE COMMITMENT.
- THE RECORD DESCRIPTION OF THE SUBJECT PROPERTY FORMS A MATHEMATICALLY CLOSED FIGURE.
- THERE IS NO OBSERVABLE EVIDENCE OF EASEMENTS OR RIGHTS OF WAY ON OR ACROSS THE SURVEYED PROPERTY, OR NO ADJOINING PROPERTIES IF THEY APPEAR TO AFFECT THE SURVEYED PROPERTY, NOT OTHERWISE SHOWN ON THE SURVEY.
- THE SUBJECT PROPERTY DOES NOT APPEAR TO HAVE ANY DELINEATION OF WETLANDS AT THE TIME THE FIELD SURVEY WAS CONDUCTED.
- THE SUBJECT PROPERTY DOES NOT HAVE ANY PROPOSED RIGHT-OF-WAY CHANGES AFFECTING THE BOUNDARY SHOWN.
- THE SUBJECT PROPERTY HAS NO EVIDENCE OF EARTH MOVING, BUILDING OR ANY OTHER CONSTRUCTION ACTIVITY AT THE TIME THE FIELD SURVEY WAS CONDUCTED.
- THE SUBJECT PROPERTY HAS DIRECT ACCESS TO A DULY DEDICATED AND ACCEPTED PUBLIC STREET OR HIGHWAY.
- THE UTILITIES SERVING THE SUBJECT PROPERTY APPEAR TO ENTER THE SUBJECT PROPERTY VIA A PUBLIC RIGHT OF WAY.
- THE SUBJECT PROPERTY DOES NOT APPEAR TO SERVE ANY ADJOINING PROPERTY FOR DRAINAGE, UTILITIES, STRUCTURAL SUPPORT, INGRESS OR EGRESS.
- THE SUBJECT PROPERTY IS IN THE EDWARDS AQUIFER RECHARGE ZONE AS PER MAP ON EDWARDS AQUIFER WEB SITE, DATE SAVED 06-20-2016.
- THERE IS NO OBSERVABLE EVIDENCE OF ANY CEMETERIES OR BURIAL GROUNDS ON THIS PROPERTY AT THE TIME THE FIELD SURVEY WAS CONDUCTED.
- THE SUBJECT PROPERTY APPEARS NOT TO BE WITHIN ANY ZONING CLASSIFICATION, BUT IS IN THE CITY OF SCHERTZ ETJ, ACCORDING TO THE CITY OF SCHERTZ, TEXAS.

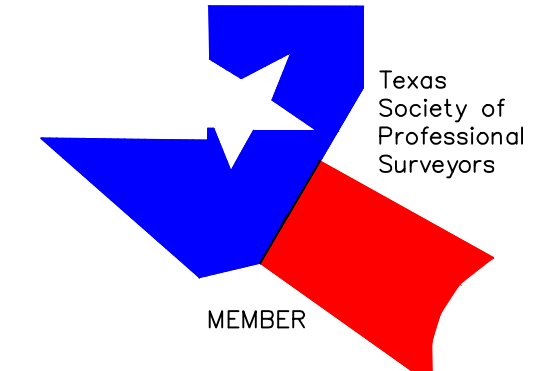
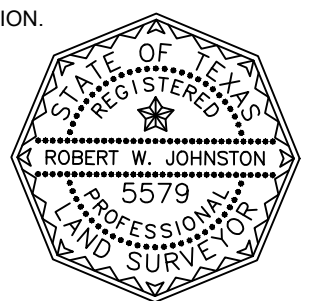
BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983/93, SOUTH CENTRAL ZONE.

SURVEYORS CERTIFICATE:
TO: PHILAN-BENNETT, LLC, MISSION TITLE, LP, FIDELITY TITLE INSURANCE COMPANY.

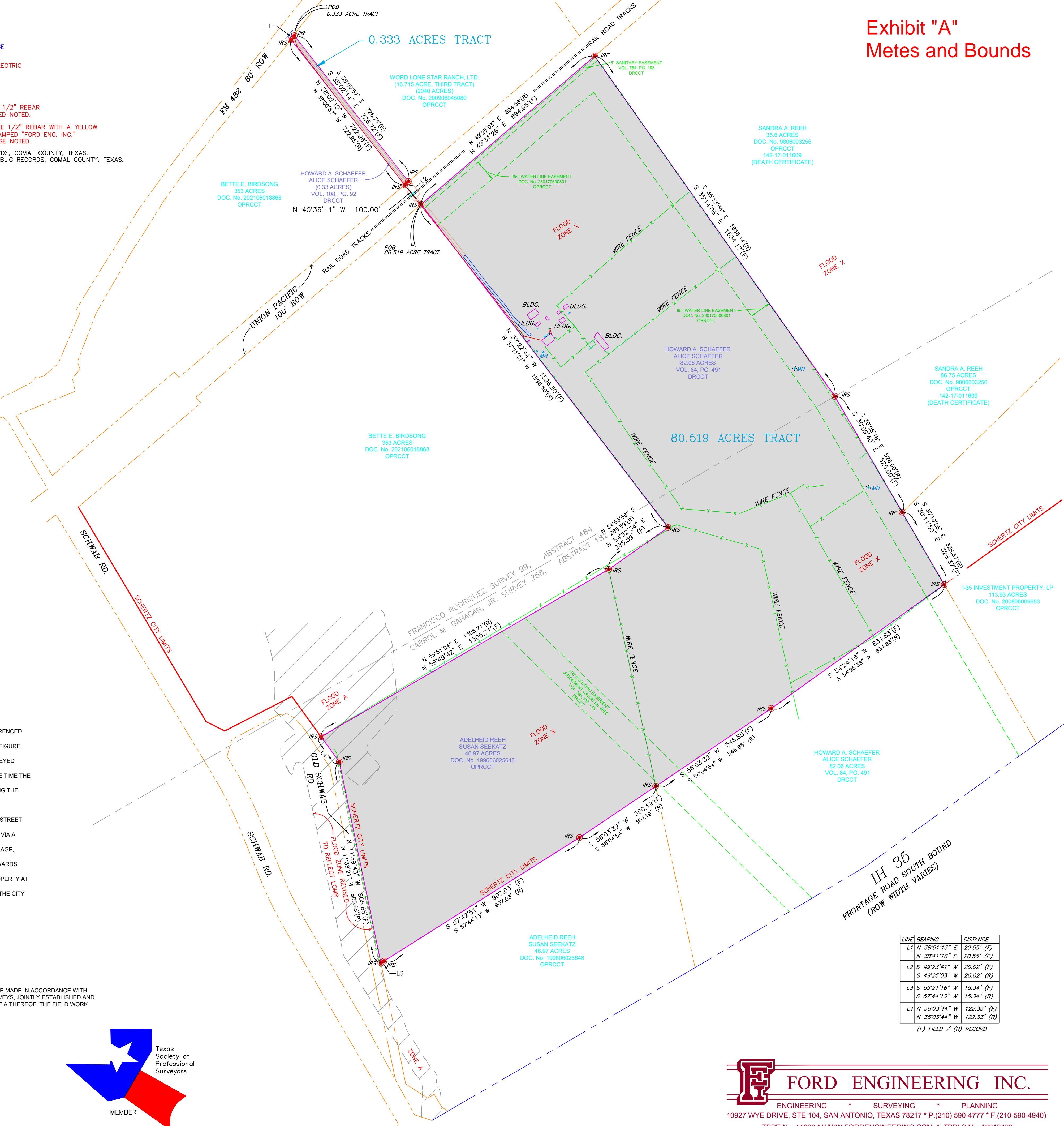
THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR AN ALTA/NSPS LAND TITLE SURVEY, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 8, 13, 16, 17, AND 18, OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON JUNE 11, 2021.

DATE OF PLAT: JUNE 16, 2021
SURVEYED ON-THE-GROUND, UNDER MY DIRECT SUPERVISION.

Robert W. Johnston
REGISTERED PROFESSIONAL LAND SURVEYOR
LICENSE NO. 5579
DATE: 06-16-2021
PROJECT NO. 8349.00
ON GROUND SURVEY DATE: 06-11-2021



MEMBER



**METES AND BOUNDS DESCRIPTION
80.852 Acre Tract**

Description of 80.852 acre tract of land, situated in the Francisco Rodriguez Survey No. 99, Abstract No. 484 and the Carrol M. Gahagan, Jr. Survey No. 258, Abstract No. 142, Comal County, Texas, being all of a called 0.33 acre tract described in a deed to Howard A. Schaefer and Alice Schaefer, recorded in Volume 108, Page 92, a portion of a called 82.06 acre tract described in a deed to Howard A. Schaefer and Alice Schaefer, recorded in Volume 84, Page 491, Deed Records of Comal County, Texas, and a portion of a called 46.97 acre tract described in a deed to Adelheid Reeh and Susan Seekatz, recorded in Document 9606025648, Official Public Records of Comal County, Texas, said 80.852 acre tract described by separate descriptions as follows:

0.333 Acre Tract
BEGINNING at a 1/2 inch iron rod found in the northeast right-of-way line of Farm-to-Market Road No. 482 (60' ROW width) at the north corner of the Schaefer 0.33 acre tract, being also the west corner of a called 16.715 acre (Third Tract) part of the called 2040 acre tract described in a deed to Word Lone Star Ranch, LLC, recorded in Document No. 200906045080, Official Public Records of Comal County, Texas, for the north corner hereof;

THENCE South 38° 02' 14" East, along the northeast boundary line of the Schaefer 0.33 acre tract, being also the southwest boundary line of the Word Lone Star Ranch 2040 acre tract, a distance of 726.72 feet (record South 38° 00' 57" East, 726.79 feet) to a 1/2 inch iron rod set, with yellow plastic cap marked "Ford Eng Inc.", in the northwest right-of-way line of the Union Pacific Railway (100' ROW width), at the east corner of the Schaefer 0.33 acre tract, being a southerly corner of the Word Lone Star Ranch 2040 acre tract, for the east corner hereof;

THENCE South 49° 23' 41" West, along the southeast boundary line of the Schaefer 0.33 acre tract, being also the northwest right-of-way line of the Union Pacific Railway, a distance of 20.02 feet (record South 49° 25' 03" West, 20.02 feet) to a 1/2 inch iron rod set, with yellow plastic cap marked "Ford Eng Inc.", at the south corner of the Schaefer 0.33 acre tract, being also the south corner of the remainder of a called 353 acre tract described in a deed to Bette E. Birdsong, recorded in Document No. 202106018868, Official Public Records Comal County, Texas, for the south corner hereof;

THENCE North 38° 02' 19" West, along the southwest boundary line of the Schaefer 0.33 acre tract, being also the southeast boundary line of the Birdsong remainder of 353 acre tract, a distance of 722.96 feet (record North 38° 00' 57" West, 722.96 feet) to a 1/2 inch iron rod set, with yellow plastic cap marked "Ford Eng Inc.", in the southeast right-of-way line of Farm-to-Market Road No. 482, at the west corner of the Schaefer 0.33 acre tract, being also the north corner of the Birdsong remainder of 353 acre tract, for the west corner hereof;

THENCE North 38° 51' 13" East, along the northwest boundary line of the Schaefer 0.33 acre tract, being also the southeast right-of-way line of Farm-to-Market Road No. 482, a distance of 20.55 feet (record North 38° 41' 16" East, 20.55 feet) to the POINT OF BEGINNING and containing 0.333 acres of land;

80.519 Acre Tract

BEGINNING at a 1/2 inch iron rod set, with yellow plastic cap marked "Ford Eng Inc.", in the southeast right-of-way line of the Union Pacific Railway (100' ROW width), at the most northerly west corner of the Schaefer 82.06 acre tract, being also the easterly corner of the remainder of a called 353 acre tract described in a deed to Bette E. Birdsong, recorded in Document No. 202106018868, Official Public Records Comal County, Texas, for the most northerly west corner hereof, from which a 1/2 inch iron rod set, with yellow plastic cap marked "Ford Eng Inc.", in the southeast right-of-way line of Farm-to-Market Road No. 482, at the west corner of the above described 0.333 acre tract, bears North 40° 36' 11" West, a distance of 100.00 feet, crossing the right-of-way of the Union Pacific Railway to the south corner of the above described 0.333 acre tract, and North 38° 02' 19" West, a distance of 726.72 feet;

THENCE North 49° 31' 26" East, along the upper northwest boundary line of the Schaefer 82.06 acre tract, being also the southeast right-of-way line of the Union Pacific Railway, to a 1/2 inch iron rod found at the north corner of the Schaefer 82.06 acre tract, being west corner of a called 35.6 acre tract, described in a deed to Sandra A. Reeh, recorded in Document No. 9806003256, Official Public Records Comal County, Texas, and in Death Certificate No. 142-17-011609, for the north corner hereof;

THENCE South 35° 14' 05" East, along the northeast boundary line of the Schaefer 82.06 acre tract, being also the southwest boundary line of the Reeh 35.6 acre tract, a distance of 1634.17 feet (record South 35° 13' 54" East, 1636.14 feet) to a 1/2 inch iron rod set, with yellow plastic cap marked "Ford Eng Inc.", at the south corner of the Reeh 35.6 acre tract, being also the most southerly west corner of a called 86.75 acre tract described in a deed to Sandra A. Reeh, recorded in Document No. 9806003256, Official Public Records Comal County, Texas, and in Death Certificate No. 142-17-011609, for a corner hereof;

THENCE South 30° 09' 40" East, along the northeast boundary line of the Schaefer 82.06 acre tract, being also the southwest boundary line of the Reeh 86.75 acre tract, a distance of 526.00 feet (record South 30° 08' 18" East, 526.00 feet) to a 1/2 inch iron rod set, with yellow plastic cap marked "Ford Eng Inc.", at the Schertz city limit established by City Ordinance No. 80-A-21, for the east corner hereof;

THENCE leaving the northeast boundary line and crossing through the Schaefer 82.06 acre tract, along the Schertz city limit line, the following two (2) courses and distances:

1. South 54° 24' 16" West, a distance of 834.83 feet (record South 54° 25' 38" West, 834.83 feet) to a 1/2 inch iron rod set, with yellow plastic cap marked "Ford Eng Inc.", for a corner hereof;
2. South 88° 03' 32" West, a distance of 546.85 feet (record South 56° 04' 54" West, 546.85 feet) to a 1/2 inch iron rod set, with yellow plastic cap marked "Ford Eng Inc.", on the lower southwest boundary line of the Schaefer 82.06 acre tract, being also the southeast boundary line of the Reeh 46.97 acre tract, for a corner hereof;

THENCE leaving the southeast boundary line and crossing through the Reeh 46.97 acre tract, along the Schertz city limit line, the following three (3) courses and distances:

1. South 56° 03' 32" West, a distance of 360.19 feet (record South 54° 25' 38" West, 360.19 feet) to a 1/2 inch iron rod set, with yellow plastic cap marked "Ford Eng Inc.", at the northwest corner of City Ordinance No. 80-A-21, being also the northeast corner of City Ordinance No. 80-A-25, for a corner hereof;
2. South 57° 42' 51" West, a distance of 907.03 feet (record South 57° 44' 13" West, 907.03 feet) to a 1/2 inch iron rod set, with yellow plastic cap marked "Ford Eng Inc.", for a corner hereof;
3. South 59° 21' 18" West, a distance of 15.34 feet (record South 59° 22' 38" West, 15.34 feet) to a 1/2 inch iron rod set, with yellow plastic cap marked "Ford Eng Inc.", on the west boundary line of the Reeh 46.97 acre tract, being also the east right-of-way of Old Schwab Road, for southwest corner hereof;

THENCE along the west boundary line of the Reeh 46.97 acre tract, being also the east right-of-way of Old Schwab Road, the following two (2) courses and distances:

1. North 11° 39' 43" West, a distance of 805.65 feet (record North 11° 38' 21" West, 805.65 feet) to a 1/2 inch iron rod set, with yellow plastic cap marked "Ford Eng Inc.", for a corner hereof;
2. North 88° 03' 44" West, a distance of 122.33 feet (record North 38° 02' 22" West, 122.33 feet) to a 1/2 inch iron rod set, with yellow plastic cap marked "Ford Eng Inc.", at the northwest corner of the Reeh 46.97 acre tract, being also the southwest corner of the remainder of the Birdsong 353 acre tract, for the southerly west corner hereof;

THENCE North 59° 49' 42" East, along the northwest boundary line of the Reeh 46.97 acre tract, being also the southeast boundary line of the remainder of the Birdsong 353 acre tract, a distance of 1305.71 feet (record North 59° 51' 04" East, 1305.71 feet) to a 1/2 inch iron rod set, with yellow plastic cap marked "Ford Eng Inc.", at the northeast corner of the Reeh 46.97 acre tract, being also the most southerly west corner of the Schaefer 82.06 acre tract, for a corner hereof;

THENCE North 54° 52' 34" East, along the northwest boundary line of the Schaefer 82.06 acre tract, being also the southeast boundary line of the remainder of the Birdsong 353 acre tract, a distance of 285.59 feet (record North 54° 53' 56" East, 285.59 feet) to a 1/2 inch iron rod set, with yellow plastic cap marked "Ford Eng Inc.", at an interior corner of the Schaefer 82.06 acre tract, being also the east corner of the remainder of the Birdsong 353 acre tract, for an interior corner hereof;

THENCE North 37° 22' 43" West, along the upper southwest boundary line of the Schaefer 82.06 acre tract, being also the northeast boundary line of the remainder of the Birdsong 353 acre tract, a distance of 1596.50 feet (record North 37° 21' 21" West, 1596.50 feet) to the POINT OF BEGINNING and containing 80.519 acres of land. Having a total combined acreage of 80.852 acres in both tracts;

BEARINGS ARE BASED ON LAMBERT GRID, TEXAS STATE PLANE COORDINATES, SOUTH CENTRAL ZONE NAD 83/93.

LINE	BEARING	DISTANCE
L1	N 38°51'13" E	20.55' (F)
	N 38°41'16" E	20.55' (R)
L2	S 49°23'41" W	20.02' (F)
	S 49°23'03" W	20.02' (R)
L3	S 59°21'16" W	15.34' (F)
	S 57°44'13" W	15.34' (R)
L4	N 36°03'44" W	122.33' (F)
	N 36°03'44" W	122.33' (R)

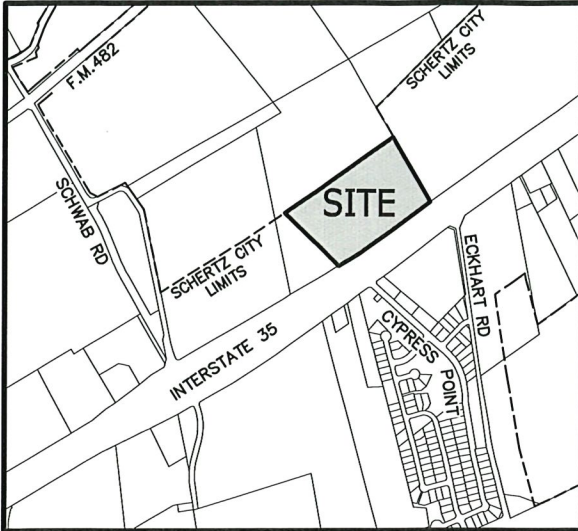
(F) FIELD / (R) RECORD

FORD ENGINEERING INC.
ENGINEERING SURVEYING PLANNING
10927 WYE DRIVE, STE 104, SAN ANTONIO, TEXAS 78217 * P.(210) 590-4777 * F.(210) 590-4940
TBPE No. 11623 * WWW.FORDENGINEERING.COM * TBPLS No. 10018400

**SURVEY EXHIBIT PLAT
OF A
80.852 ACRE TRACT**

SURVEY EXHIBIT SHOWING A 80.852 ACRE TRACT OF LAND, SITUATED IN THE FRANCISCO RODRIGUEZ SURVEY NO. 99, ABSTRACT NO. 484 AND THE CARROL M. GAHAGAN, JR. SURVEY NO. 258, ABSTRACT NO. 182, COMAL COUNTY, TEXAS, BEING ALL OF A CALLED 0.33 ACRE TRACT DESCRIBED IN A DEED TO HOWARD A. SCHAEFER AND ALICE SCHAEFER, RECORDED IN VOLUME 108, PAGE 92, A PORTION OF A CALLED 82.06 ACRE TRACT DESCRIBED IN A DEED TO HOWARD A. SCHAEFER AND ALICE SCHAEFER, RECORDED IN VOLUME 84, PAGE 491, DEED RECORDS OF COMAL COUNTY, TEXAS, AND A PORTION OF A CALLED 46.97 ACRE TRACT DESCRIBED IN A DEED TO ADELHEID REEH AND SUSAN SEEKATZ, RECORDED IN DOCUMENT 9606025648, OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS.

Exhibit "A" Metes and Bounds



LOCATION MAP NOT TO SCALE

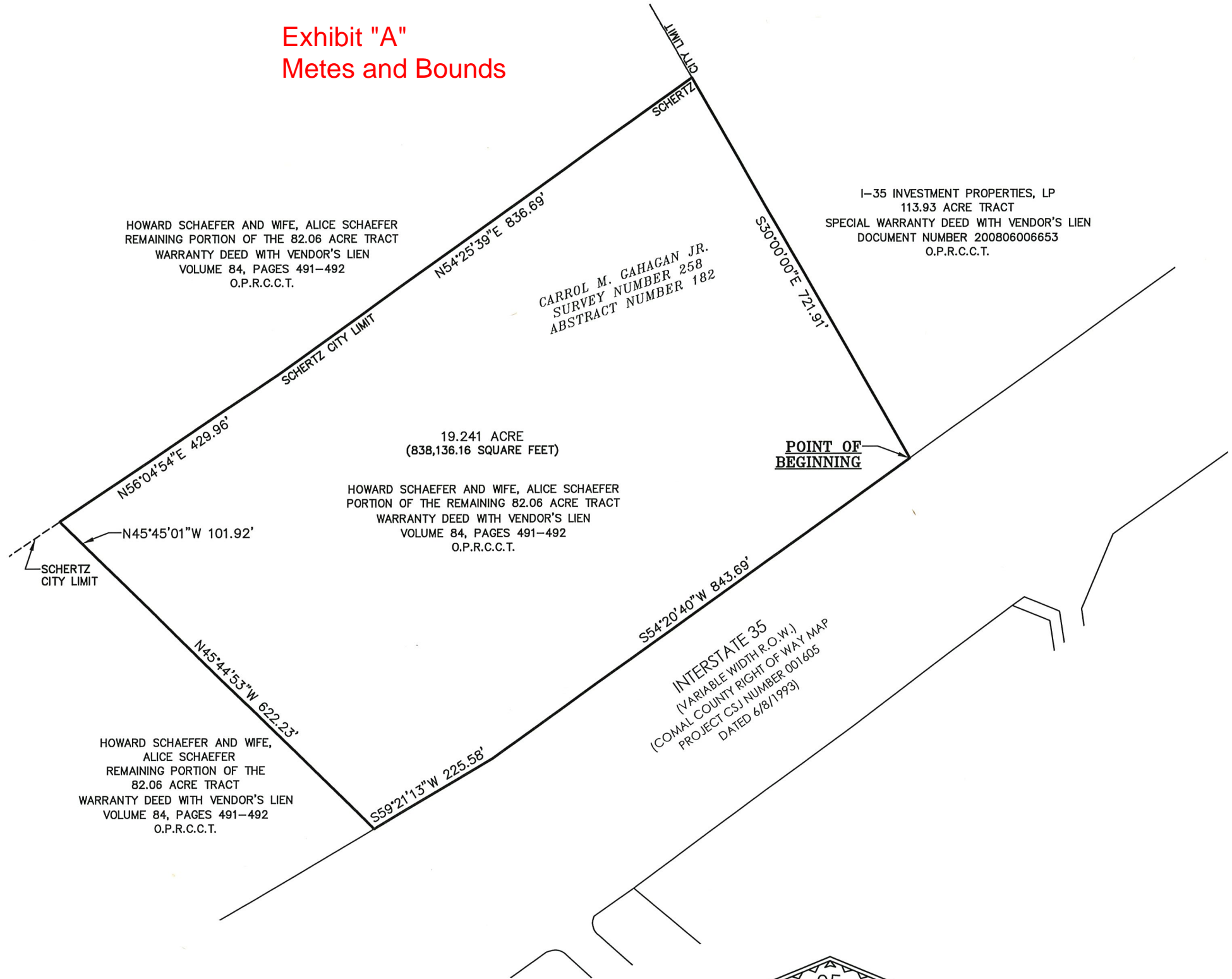


SCALE: 1"=200'



LEGEND:

O.P.R.C.C.T. OFFICIAL PUBLIC RECORDS
COMAL COUNTY, TEXAS
R.O.W. RIGHT OF WAY



HOWARD SCHAEFER AND WIFE, ALICE SCHAEFER
REMAINING PORTION OF THE 82.06 ACRE TRACT
WARRANTY DEED WITH VENDOR'S LIEN
VOLUME 84, PAGES 491-492
O.P.R.C.C.T.

CARROL M. GAHAGAN JR.
SURVEY NUMBER 258
ABSTRACT NUMBER 182

I-35 INVESTMENT PROPERTIES, LP
113.93 ACRE TRACT
SPECIAL WARRANTY DEED WITH VENDOR'S LIEN
DOCUMENT NUMBER 200806006653
O.P.R.C.C.T.

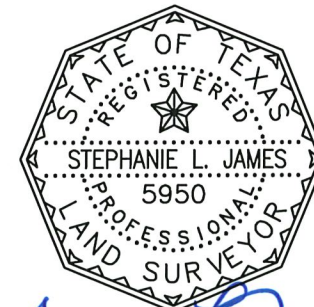
19.241 ACRE
(838,136.16 SQUARE FEET)

HOWARD SCHAEFER AND WIFE, ALICE SCHAEFER
PORTION OF THE REMAINING 82.06 ACRE TRACT
WARRANTY DEED WITH VENDOR'S LIEN
VOLUME 84, PAGES 491-492
O.P.R.C.C.T.

HOWARD SCHAEFER AND WIFE,
ALICE SCHAEFER
REMAINING PORTION OF THE
82.06 ACRE TRACT
WARRANTY DEED WITH VENDOR'S LIEN
VOLUME 84, PAGES 491-492
O.P.R.C.C.T.

GENERAL NOTES:

- 1) BASIS OF BEARINGS IS FROM WARRANTY DEED WITH VENDOR'S LIEN, CONVEYING AN 82.06 ACRE TRACT OF LAND TO HOWARD SCHAEFER AND WIFE, ALICE SCHAEFER, AS RECORDED IN VOLUME 84, PAGES 491-492, AND BY DEED, CONVEYING A 4.262 ACRE TRACT OF LAND TO THE STATE OF TEXAS, AS RECORDED IN VOLUME 126, PAGES 212-214, BOTH OF THE OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS.
- 2) AN ON THE GROUND SURVEY WAS NOT PERFORMED BY MOY TARIN RAMIREZ ENGINEERS, LLC.
- 3) ONLY THOSE COPIES WHICH BEAR AN ORIGINAL INK IMPRESSION SEAL AND AN ORIGINAL SIGNATURE OF THE SURVEYOR WILL BE CONSIDERED A "VALID" COPY. MOY TARIN RAMIREZ ENGINEERS, LLC., WILL NOT BE RESPONSIBLE FOR THE CONTENT OF ANYTHING OTHER THAN A VALID COPY OF THIS SURVEY.
- 4) A FIELD NOTE DESCRIPTION OF EVEN DATE WAS PREPARED FOR THIS EXHIBIT.
- 5) THIS EXHIBIT IS NOT INTENDED TO BE USED FOR THE TRANSFER OF REAL PROPERTY. NO MONUMENTATION HAS BEEN SET.



Stephanie L. James

EXHIBIT OF

A 19.241 ACRE (838,136.16 SQUARE FEET) TRACT OF LAND, SITUATED IN THE CARROL M. GAHAGAN JR. SURVEY 258, ABSTRACT NUMBER 182, COMAL COUNTY, SCHERTZ, TEXAS, BEING OUT OF THE REMAINDER OF AN 82.06 ACRE TRACT AS CONVEYED TO HOWARD SCHAEFER AND WIFE, ALICE SCHAEFER, BY WARRANTY DEED WITH VENDOR'S LIEN AS RECORDED IN VOLUME 84, PAGES 491-492, OF THE OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS.

DATE: 2024-10-03

JOB NO. 24185



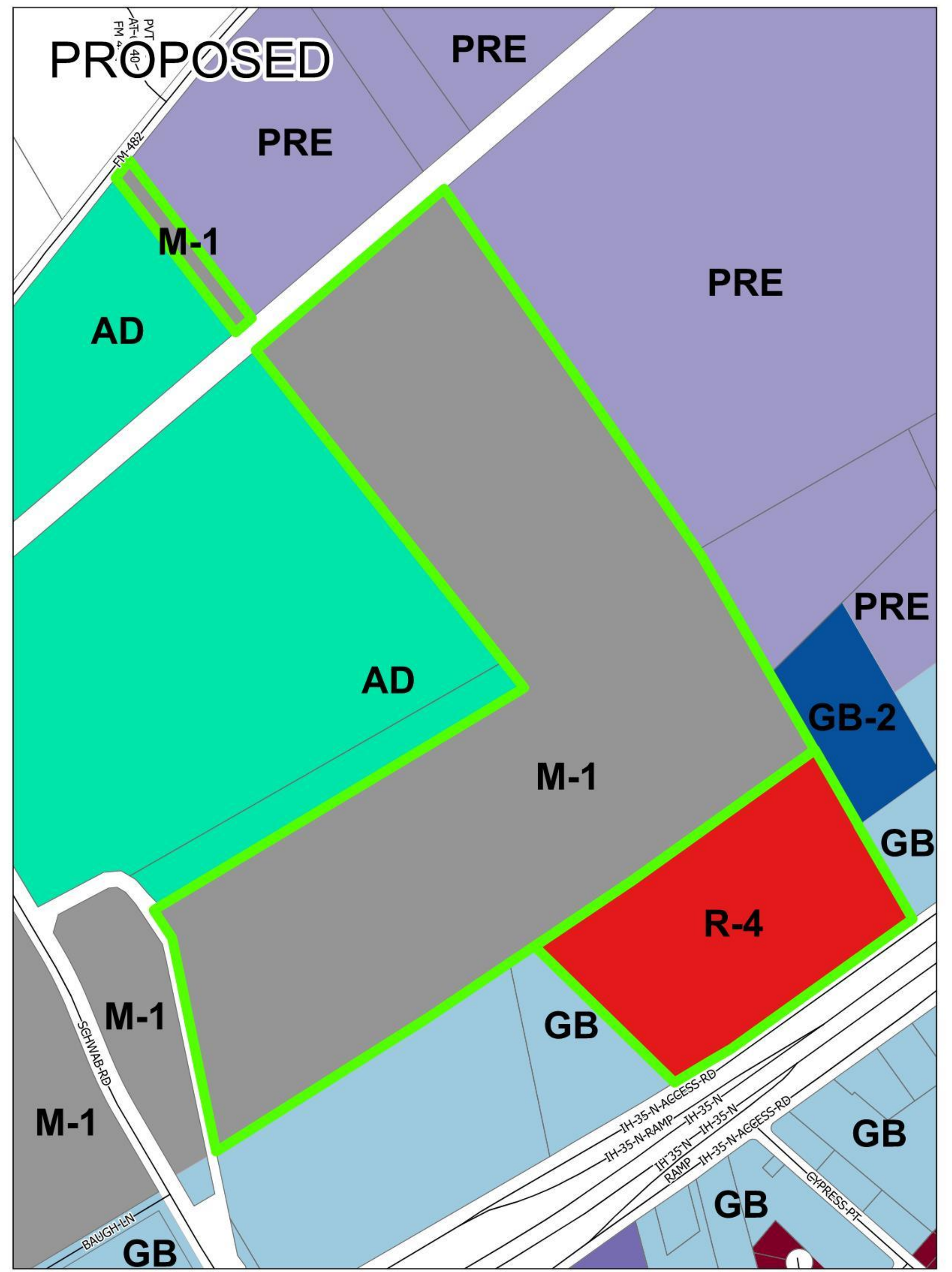
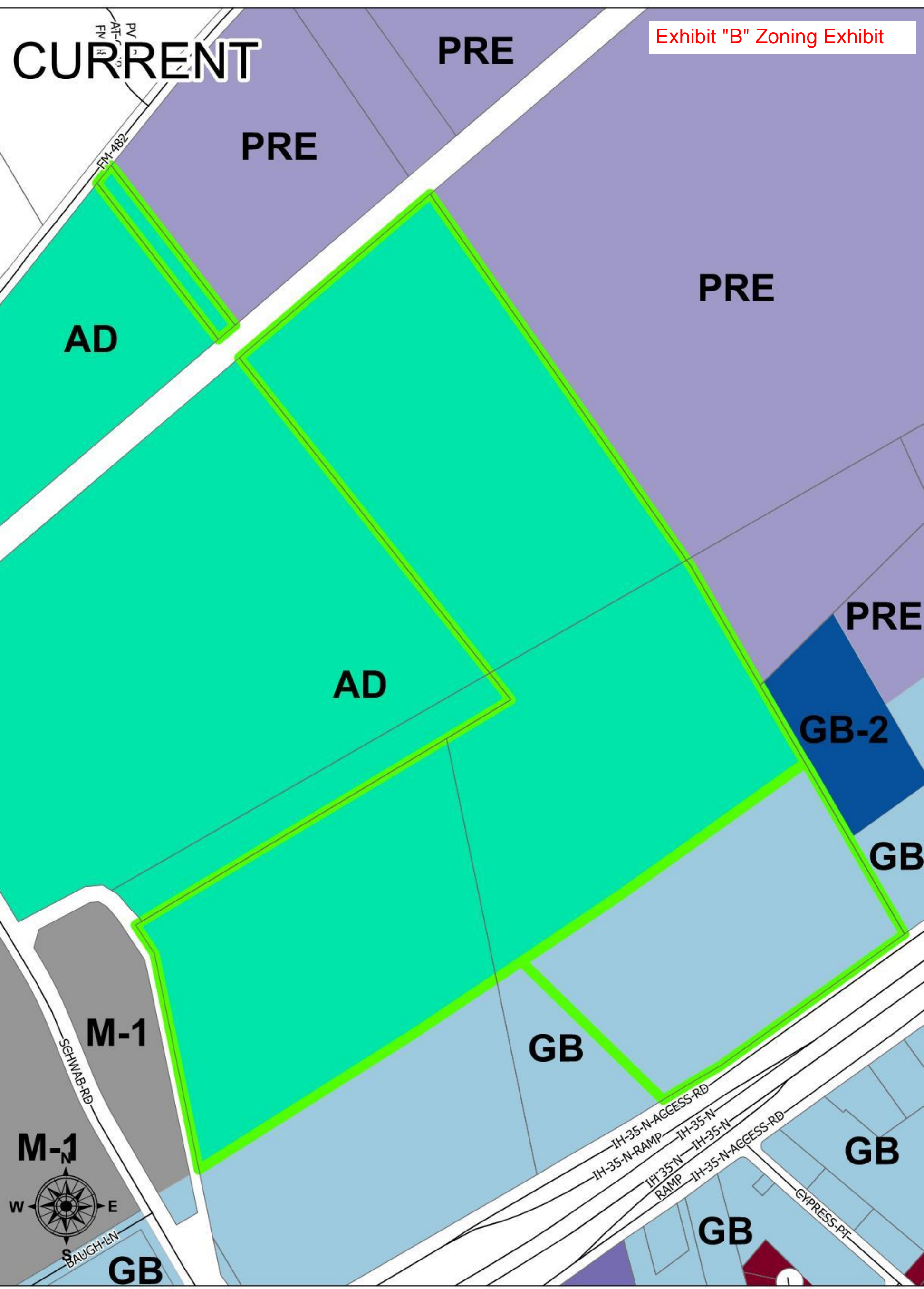
Moy Tarin Ramirez Engineers, LLC

TBPELS ENGINEERING F-5297/SURVEYING NO. 10131500
12770 CIMARRON PATH, SUITE 100 TEL: (210) 698-5051
SAN ANTONIO, TEXAS 78249 FAX: (210) 698-5085

- Engineers
- Surveyors
- Planners

Exhibit "B"

Zoning Exhibit



SCHERTZ
COMMUNITY • SERVICE • OPPORTUNITY

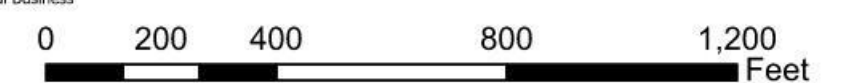
Last update: October 17th, 2024
City of Schertz, GIS Specialist: Alexa Venezia, avenezia@schertz.com (210) 619-1174

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 damages whatsoever arising out of or in connection with the use of or performance of these materials. Information published in this product could include technical inaccuracies or typographical errors. Periodical changes may be added to the information herein. The City of Schertz may make improvements and/or changes in the product(s) described herein at any time.

PROPOSED ZONING CHANGE

**COMAL COUNTY
HAUSMAN SQUARE
PLZC2024024 9**

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



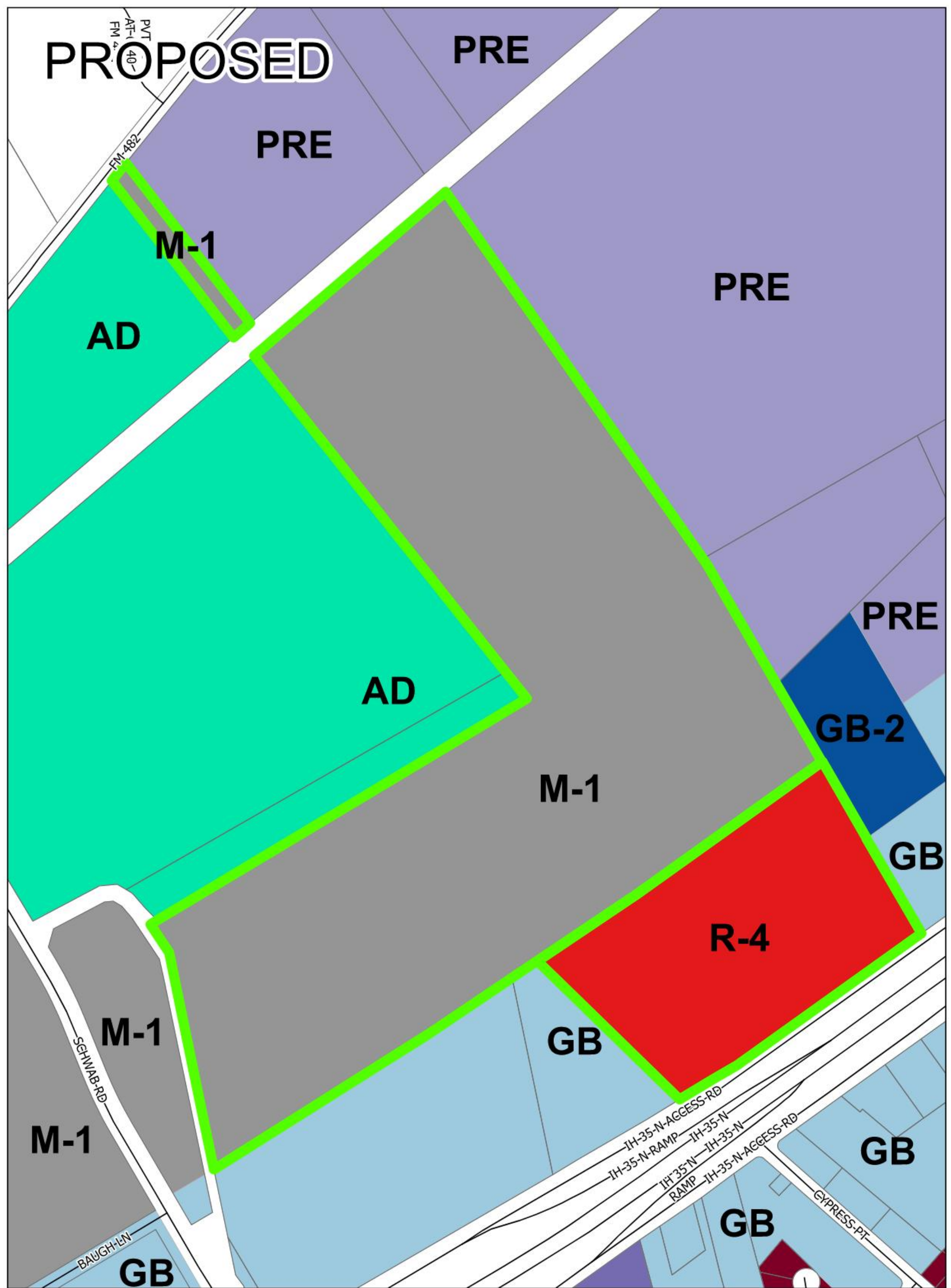
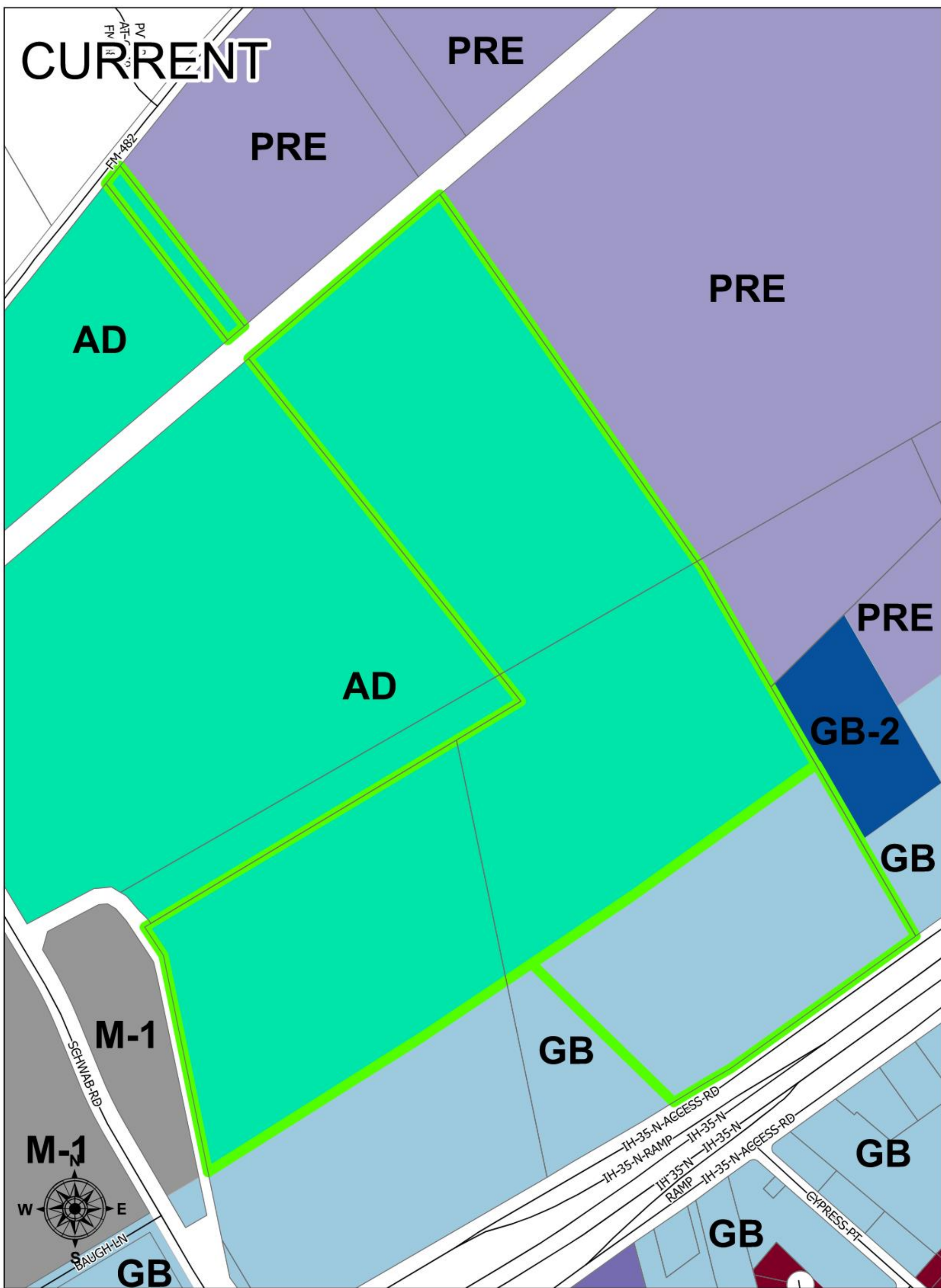


SCHIERTZ
COMMUNITY • SERVICE • OPPORTUNITY

HAUSMAN SQUARE
PLZC20240249

<ul style="list-style-type: none"> Highways Major Roads Minor Roads 	<ul style="list-style-type: none"> Freeway Principal Arterial Planned Principal Arterial Secondary Arterial Planned Secondary Arterial Secondary Rural Arterial 	<ul style="list-style-type: none"> Planned Secondary Rural Arterial Residential Collector Planned Residential Collector Planned Commercial Collector B Commercial Collector A Planned Commercial Collector A 	<ul style="list-style-type: none"> 1" 2" 3" 4" 6" 8" 10" 12" 16" 18" 20" 24" 30" 36" Unknown 	<ul style="list-style-type: none"> Schertz Gravity Schertz Pressure Neighboring Gravity Private Pressure 	<ul style="list-style-type: none"> Hydrant Manholes CCMA Lift Station Private Lift Station Schertz Lift Station CCMA Treatment Plant Schertz Treatment Plant 	<ul style="list-style-type: none"> County Boundaries Schertz Municipal Boundary ETJ
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0 200 400 800 1,200 Feet



SCHERTZ
COMMUNITY • SERVICE • OPPORTUNITY

Last update: October 17th, 2024
City of Schertz, GIS Specialist: Alexa Venezia, avenezia@schertz.com (210) 619-1174

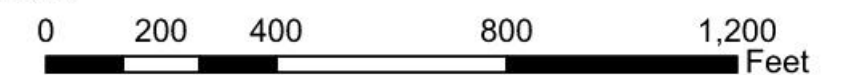
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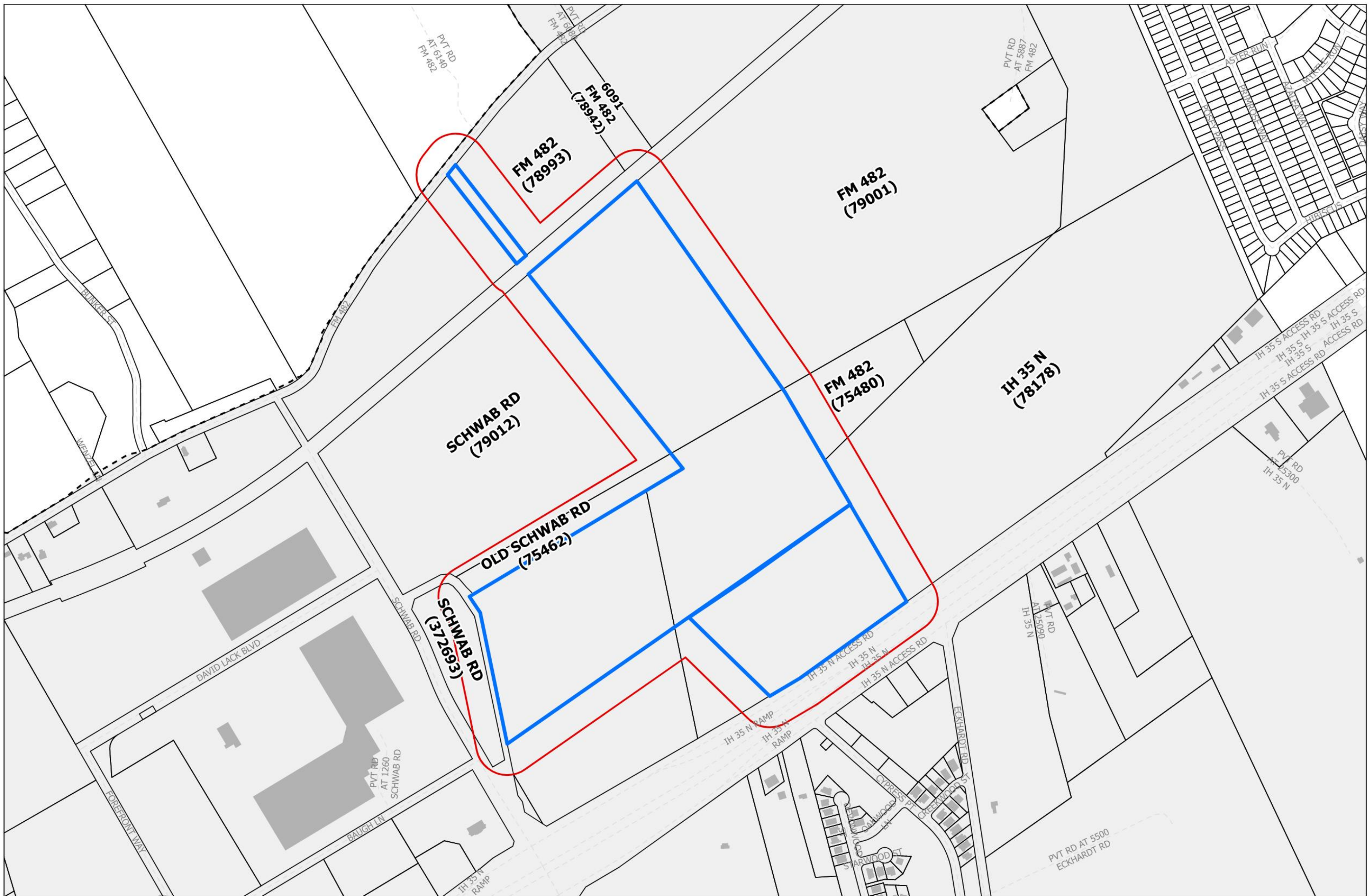
PROPOSED ZONING CHANGE

**COMAL COUNTY
HAUSMAN SQUARE
PLZC2024024 9**

Classification

- (PRE) Pre-Development
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- (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
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- (MHP) Manufactured Home Parks
- (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)
- (DVL) Development Agreement (Delayed Annexation)





City of Schertz

HAUSMAN SQUARE
(PLZC20240249)



Project Boundary



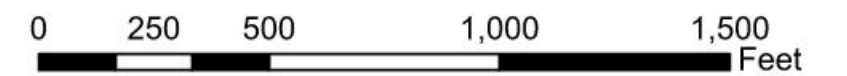
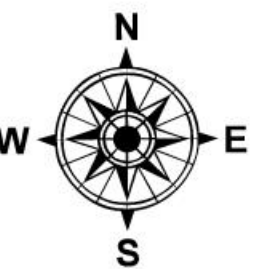
City Limits



Schertz ETJ
Boundary



200' Buffer



NOTICE OF PUBLIC HEARING

October 25, 2024

To whom it may concern,

The City of Schertz Planning and Zoning Commission will conduct a public hearing on **Wednesday, November 6th, 2024 at 6:00 p.m.** located at the Municipal Complex Council Chambers, 1400 Schertz Parkway, Building #1, Schertz, Texas to consider and act upon the following item:

PLZC20240249 - Hold a public hearing and make a recommendation on a request to rezone approximately 100 acres of land from General Business District (GB) and Agricultural District (AD) to Manufacturing Light District (M-1) and Apartment / Multifamily District (R-4) generally located at the intersection of Schwab Road and IH 35, more specifically known as Comal County Property Identification Numbers 79017, 75463, 79018, and 75468, City of Schertz, Comal County, Texas.

The Planning and Zoning Commission would like to hear how you feel about this request and invites you to attend the public hearing. You may return the reply form below by mail or personal delivery to Samuel Haas, Senior Planner at 1400 Schertz Parkway, Bldg. 1, Schertz, Texas 78154, or by e-mail planning@schertz.com. If you have any questions, please feel free to call Samuel Haas, Senior Planner directly at (210) 619-1783.

Sincerely,



Samuel Haas
Senior Planner

Reply Form:

City Council will have two readings on the request after the recommendation from the Planning and Zoning Commission. This form is used to calculate protest in accordance with LGC, Local Government Code 211.006(d). **The written protest must be received by City no later than noon (central time) the Friday before each reading by the City Council.** If the name of the person signing this form does not match the name listed as the owner on the appraisal district website, proof of ownership is required in order for this to count towards the protest.

I am: in favor of opposed to neutral to the request for PLZC20240249

COMMENTS: _____

NAME: KARAM ALI (PLEASE PRINT) SIGNATURE [Handwritten Signature]

STREET ADDRESS: 61 Pipers Walk Sugarland Tx 77479

DATE: 10/31/24

NOTICE OF PUBLIC HEARING

October 25, 2024

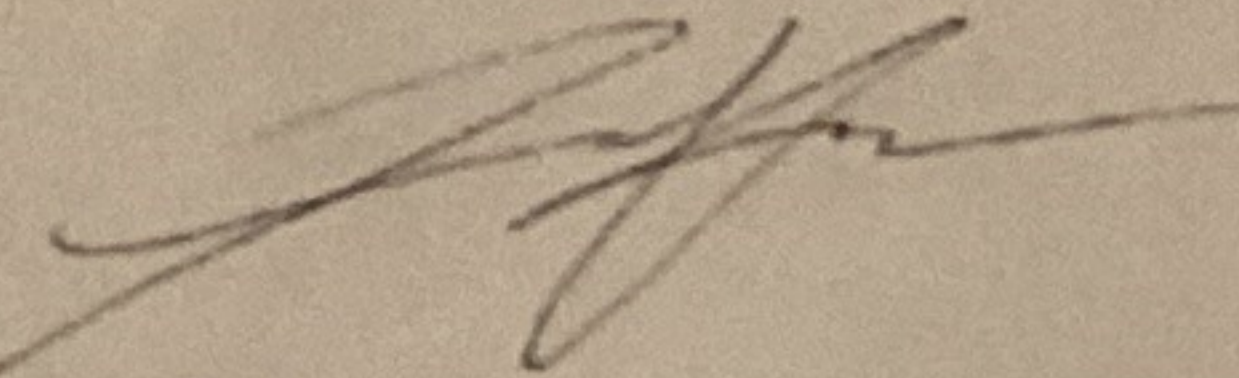
To whom it may concern,

The City of Schertz Planning and Zoning Commission will conduct a public hearing on Wednesday, November 6th, 2024 at 6:00 p.m. located at the Municipal Complex Council Chambers, 1400 Schertz Parkway, Building #4, Schertz, Texas to consider and act upon the following item:

PLZC20240249 - Hold a public hearing and make a recommendation on a request to rezone approximately 100 acres of land from General Business District (GB) and Agricultural District (AD) to Manufacturing Light District (M-1) and Apartment / Multifamily District (R-4) generally located at the intersection of Schwab Road and IH 35, more specifically known as Comal County Property Identification Numbers 79017, 75463, 79018, and 75468, City of Schertz, Comal County, Texas.

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Sincerely,



Samuel Haas
Senior Planner

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I am: in favor of opposed to neutral to the request for PLZC20240249

COMMENTS: _____

NAME: Sandra Reeh SIGNATURE Sandra Reeh
(PLEASE PRINT)

STREET ADDRESS: 5887 FM 482, New Brauntels TX 78132

DATE: 10/29/2024

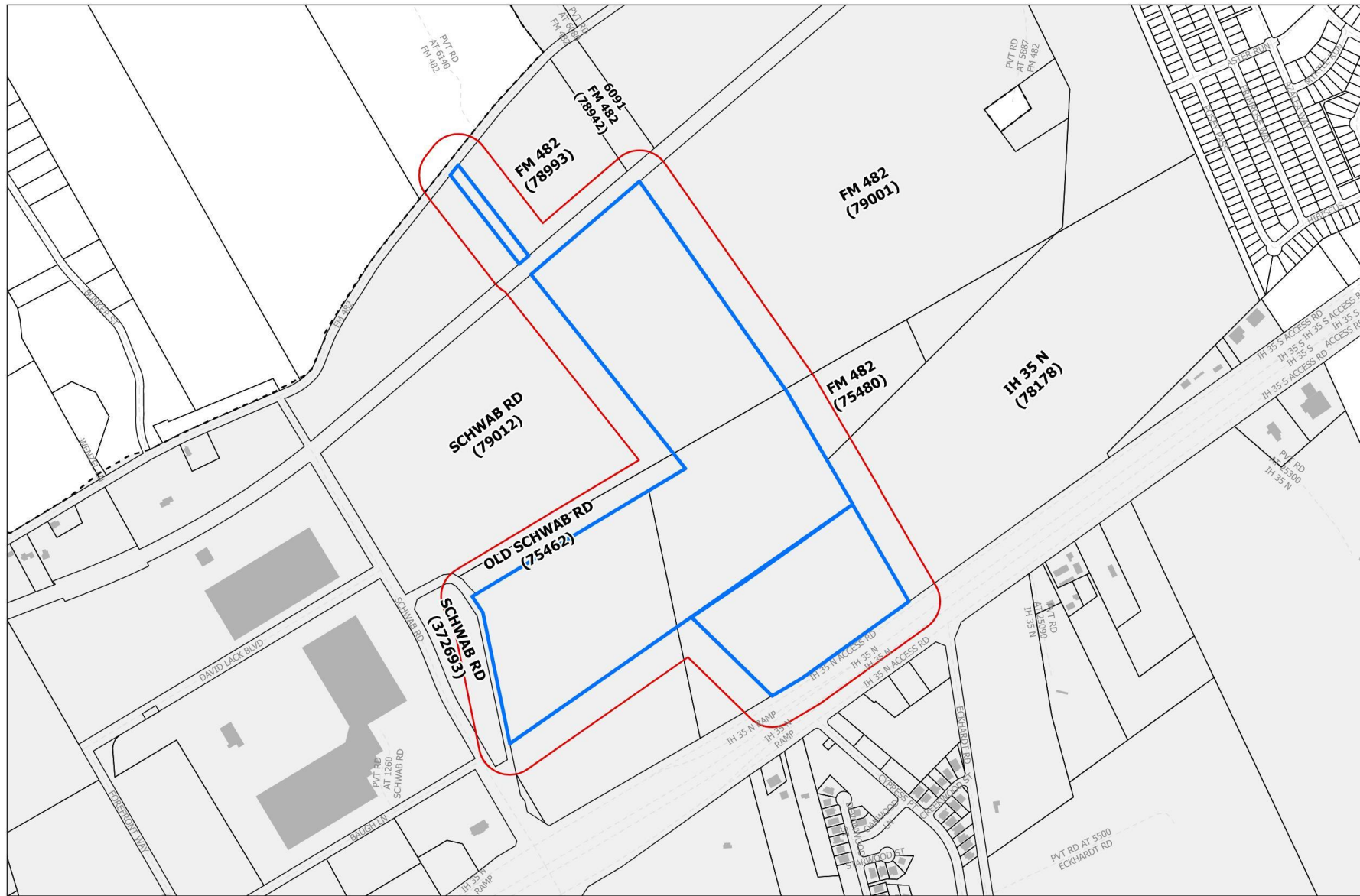
Ord. 24-S-167

Zone Change of approximately 100 acres of land from General Business District (GB) and Agricultural District (AD) to Manufacturing Light District (M-1) and Apartment / Multifamily District (R-4)

Samuel Haas | Senior Planner

Approx. 100 ac





October 25, 2024: 7
Public Hearing
Notices sent

1 in favor
0 opposed
1 neutral

1 Sign placed on
property

Notice was
published in the SA
Express on
November 13, 2024



Last update: October 17th, 2024

City of Schertz, GIS Specialist: Alea Venezuela, avenenza@schertz.com (210) 619-1174
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City of Schertz

HAUSMAN SQUARE (PLZC20240249)



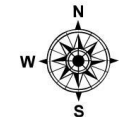
Project Boundary

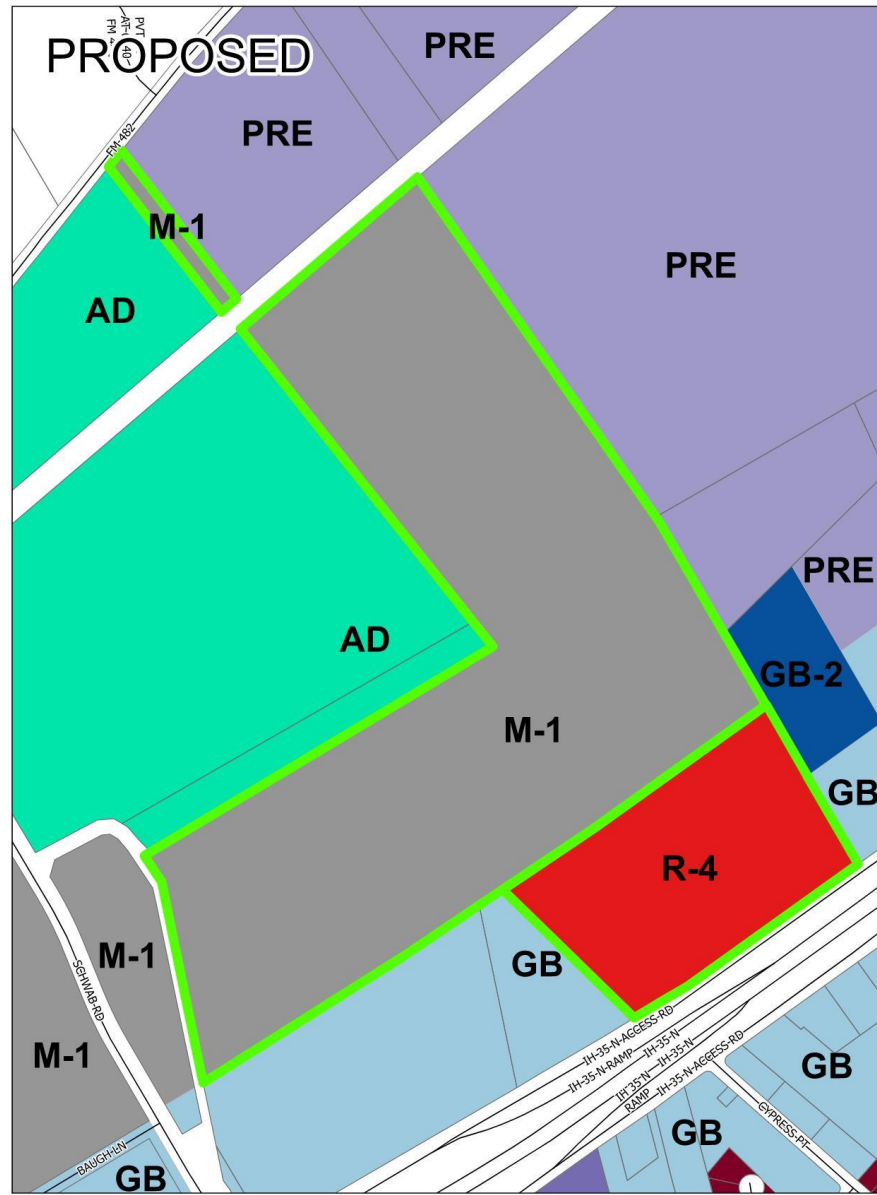
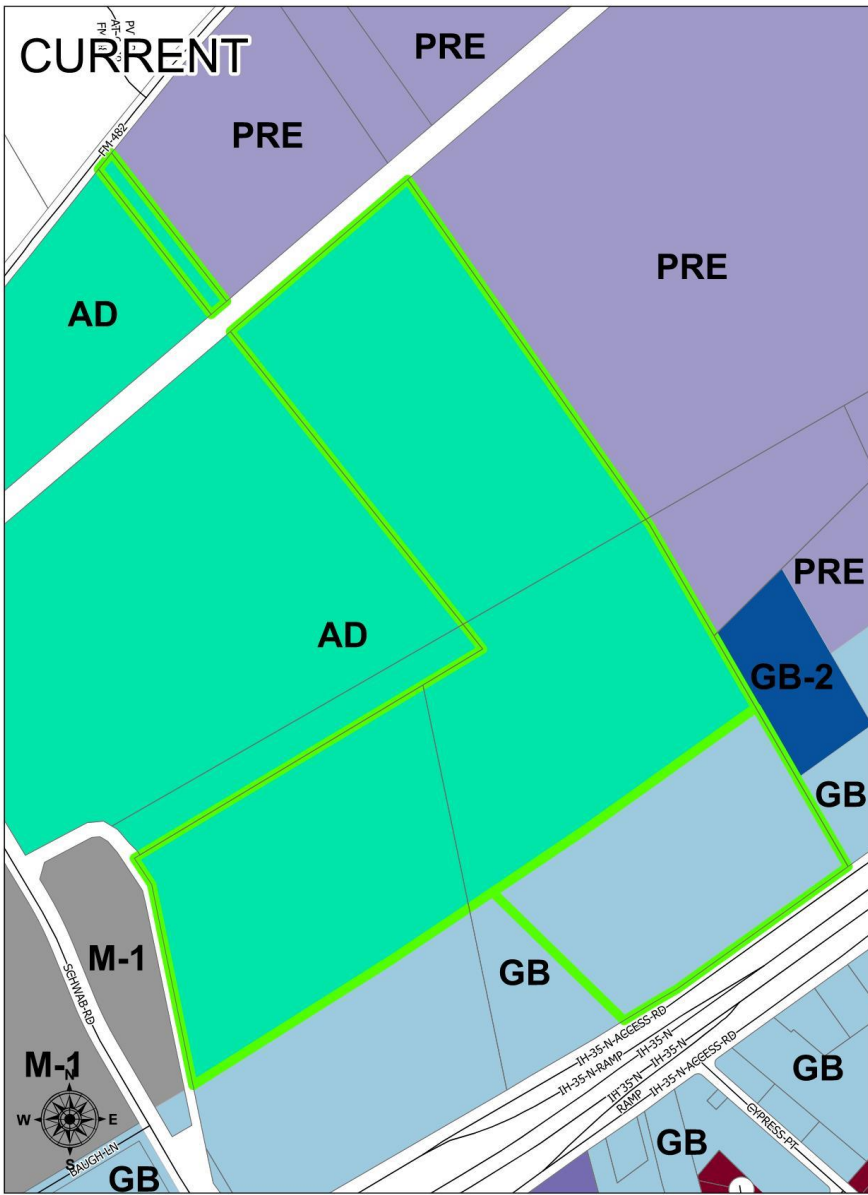


Schertz ETJ
Boundary

City Limits

200' Buffer





SCHIERTZ
COMMUNITY • SERVICE • OPPORTUNITY

Last update: October 17th, 2024
City of Schertz, GIS Specialist: Alesia Venesia, avenesia@schertz.com (210) 619-1174

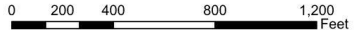
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PROPOSED ZONING CHANGE

**COMAL COUNTY
HAUSMAN SQUARE
PLZC2024024 9**

Classification

- (PRE) Pre-Development
 - (PDD) Planned Development
 - (PUB) Public Use
 - (AD) Agricultural District
 - (R-1) Single-Family Residential
 - (R-2) Single-Family Residential
 - (R-3) Two-Family Residential
 - (GH) Garden Home/Single-Family Residential (Zero Lot Line)
 - (TH) Townhome
 - (MHS) Manufactured Home Subdivision
 - (MHP) Manufactured Home Parks
 - (GB) General Business
- (R-4) Apartment/Multi-Family Residential
 - (R-6) Single-Family Residential
 - (R-7) Single-Family Residential
 - (M-1) Manufacturing (Light)
 - (M-2) Manufacturing (Heavy)
 - (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
 - (DVA) Development Agreement (Delayed Annexation)



80.8 acres for Manufacturing Light District (M-1)

19.2 acres for Apartment / Multifamily District (R-4)

-Allow a 350-unit apartment complex

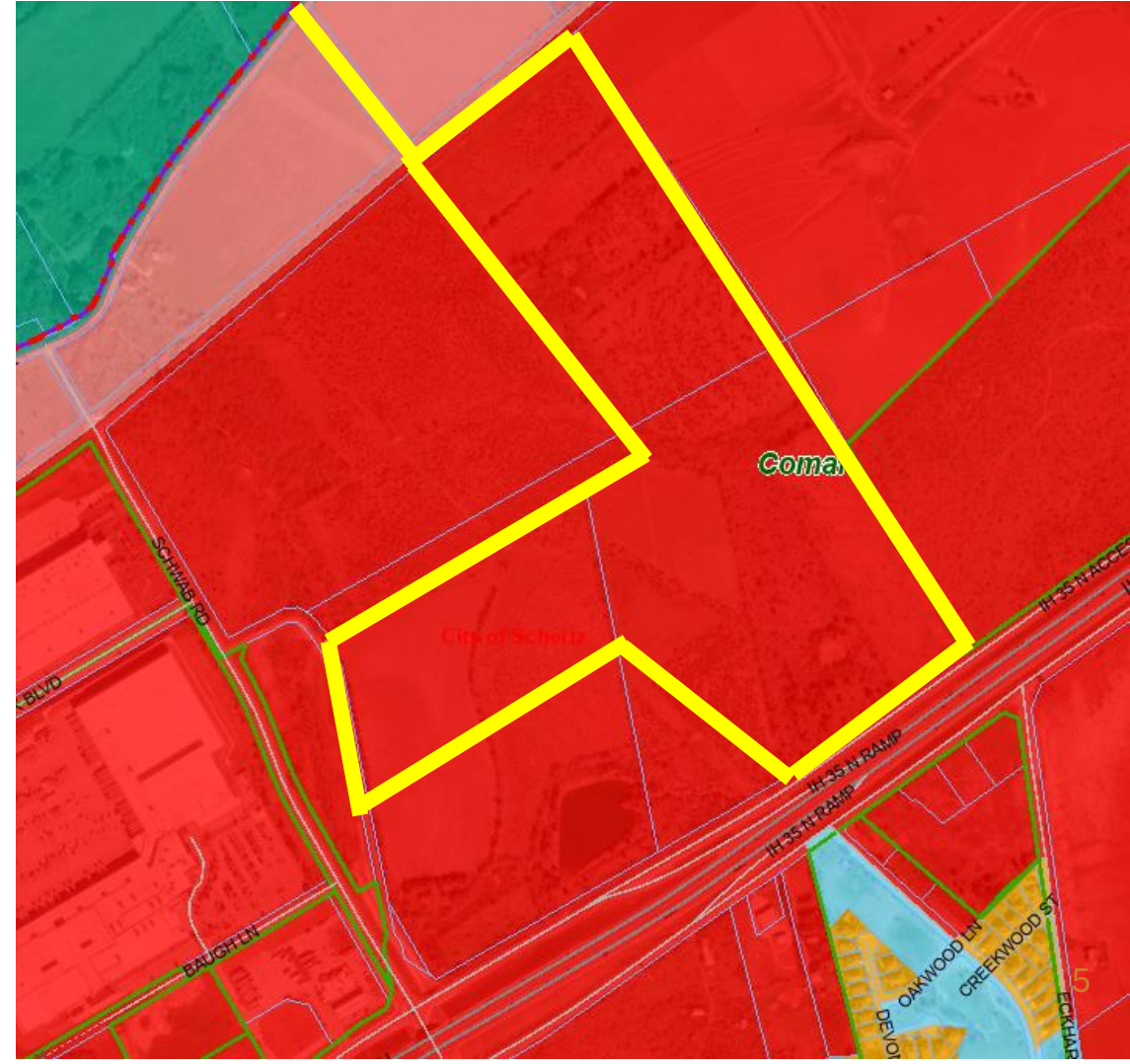
Adjacent Properties	Zoning	Land Use
North	AD & ROW	Undeveloped & UP RR
South	GB & ROW	Undeveloped & IH 35
East	PRE, GB-2, & GB	Undeveloped
West	AD, M-1, & GB	Undeveloped

SCHIERTZ
COMMUNITY. SERVICE. OPPORTUNITY.

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 Comprehensive Plan designates this area as "Regional Corridor"
- Intended to provide commercial and entertainment areas along major thoroughfares and large multifamily complexes
- Also, accommodates some warehousing and logistics activity due to proximity to major corridor (IH35)
- For this reason, the proposed zone change is consistent with the Comprehensive Plan.



UDC SECTION 21.5.4.D Criteria for Approval

2. Whether the proposed zoning change promotes the health, safety, and general welfare of the City.

- Manufacturing Light Districts (M-1) are intended to provide a suitable area for the development of light industrial, assembly and manufacturing, warehouse and distribution facilities.
 - Should be located on arterial streets - Schwab Road meets this classification.
 - Co-locating with other M-1 properties helps promote health, safety, and general welfare
- The UDC was recently amended on October 22, 2024, with City Council's approval of Ordinance 24-S-156.
 - This new text to the UDC explicitly states that Apartment / Multifamily Districts (R-4) "shall be located adjacent to arterial streets".
 - Schwab Road and IH 35 meet or exceed this classification.



UDC SECTION 21.5.4.D Criteria for Approval

3. Whether the uses permitted by the proposed change will be consistent and appropriate with existing uses in the immediate area;

- The immediate area is either largely undeveloped, residential, or has industrial uses.
- The proposed location of the Manufacturing Light District (M-1) and the uses permitted within, is generally appropriate at this location.
- The proposed Apartment / Multifamily District (R-4) being on the frontage of IH 35 is consistent with other residential uses within the immediate area. .

4. Whether other factors are deemed relevant and important in the consideration of the amendment.

- This area of Schertz has developed slowly due to the developmental challenges of extending infrastructure. Additionally, many properties in this area were only recently annexed into the City of Schertz. A large development such as this would help foster future proposals as developing this site would require significant infrastructure investment.

Recommendation

The proposed zone change conforms with the Comprehensive Plan and the surrounding land uses are consistent. Also, this proposal meet the intent and requirements of the UDC.

Therefore, Staff recommends approval of Ord 24-S-167.

The Planning and Zoning Commission held a public hearing on November 6, 2024, and made a recommendation of approval with a 4-0 vote.

CITY COUNCIL MEMORANDUM

City Council Meeting: December 03, 2024

Department: Planning & Community Development

Subject: Ordinance 24-S-169 - Conduct a public hearing and consider a request to rezone approximately .23 acres of land from General Business District (GB) to Main Street Mixed Use District (MSMU), more specifically known as 702 Main Street, also known as Guadalupe County Property Identification Number 21458, City of Schertz, Guadalupe County, Texas.(B.James/L.Wood/S.Haas)

BACKGROUND

Per the applicant's letter of intent, the property owner would like to construct a pet store with retail sales and grooming activities.

On October 25, 2024, 10 public hearing notices were mailed to the surrounding properties within a 200-foot notification boundary of the subject property. At the time of the staff report, one (1) response in favor, zero (0) responses neutral, and zero (0) responses in opposition have been received. A public hearing notice was published in the San Antonio Express on November 13, 2024. Additionally, one (1) sign was placed on the subject property. The City of Schertz Police, Fire and EMS Departments have indicated they do not have any concerns regarding the proposed rezoning request.

Subject Property:

	Zoning	Land Use
Existing	General Business District (GB)	Residential/Vacant
Proposed	Main Street Mixed Use District (MSMU)	Pet Store

Adjacent Properties:

	Zoning	Land Use
North	Right of Way	Main Street
South	Right of Way	Union Pacific Railroad
East	General Business District (GB)	Commercial (Main Street Garage)
West	General Business District (GB)	Residential

GOAL

Per the applicant's letter of intent, the property owner would like to rezone the property to Main Street Mixed Use District (MSMU) to construct a pet store with retail sales and grooming activities.

COMMUNITY BENEFIT

It is the City's desire to promote safe, orderly, efficient development and ensure compliance with the City's vision of future growth.

SUMMARY OF RECOMMENDED ACTION

When evaluating Zone Change applications, staff uses the Criteria for Approval located in UDC Section 21.5.4.D.

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

The Comprehensive Plan designates this area as "Main Street Corridor" which is intended to be a mix of residential, commercial, and cultural uses strategically designed to create a pedestrian-friendly urban core. The rezone of this property aligns with these goals and thus aligns with the Comprehensive Plan.

2. Whether the proposed zoning change promotes the health, safety, and general welfare of the City.

Staff has determined that the proposed zone change will not adversely affect the safety and health of the city. Additionally, as part of promoting the general welfare, it is good practice to encourage cohesive districts with zoning and land uses that are consistent with the surrounding area. The Main Street corridor is a mixed-used area with a variety of commercial and residential uses. This zone change request promotes the general welfare by creating that cohesiveness.

3. Whether the uses permitted by the proposed change will be consistent and appropriate with existing uses in the immediate area;

The Main Street Mixed Use District (MSMU) permits a wide variety of uses, from less-intense commercial to single-family detached residences. This matches what is currently in the immediate area of the property.

4. Whether other factors are deemed relevant and important in the consideration of the amendment.

Main Street is the historical, geographical, and cultural heart of Schertz. The corridor sits in a flood zone and this presents challenges for development. Due to this, the city has adopted policies and has made efforts to incentivize the development of Main Street, such as the Local Flavor Grant and waiving some development application fees. Additionally, the city is currently in the design phase for reconstructing the Main Street thoroughfare itself. This rezone application builds on current and previous efforts to create a vibrant main street district for residents and visitors alike.

For these reasons, staff is recommending approval of Ord. 24-S-169.

The Planning and Zoning Commission held a public hearing on November 6, 2024 and made a recommendation of approval with a 4-0 vote.

RECOMMENDATION

Approval of Ordinance 24-S-169

Attachments

Ord. 24-S-169 with Attachments

Aerial Exhibit

Zoning Exhibit

Public Hearing Notice Map
Public Hearing Responses
City Council Presentation Slides

ORDINANCE NO. 24-S-169

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS TO REZONE APPROXIMATELY .23 ACRES OF LAND FROM GENERAL BUSINESS DISTRICT (GB) TO MAIN STREET MIXED USE DISTRICT (MSMU), KNOWN AS 702 MAIN STREET, ALSO KNOWN AS GUADALUPE COUNTY PROPERTY IDENTIFICATION NUMBER 21458, CITY OF SCHERTZ, GUADALUPE COUNTY, TEXAS.

WHEREAS, an application for a request to rezone approximately .23 acres of land from General Business District (GB) to Main Street Mixed Use District (MSMU), known as 702 Main Street, also known as Guadalupe County Property Identification Number 21458, City of Schertz, Guadalupe County, Texas., more specifically described in the Exhibit A and Exhibit B attached herein (herein, the “Property”) has been filed with the City; and

WHEREAS, the City’s Unified Development Code Section 21.5.4.D. provides for certain criteria to be considered by the Planning and Zoning Commission in making recommendations to City Council and by City Council in considering final action on a requested zoning (the “Criteria”); and

WHEREAS, on November 6, 2024, the Planning and Zoning Commission conducted a public hearing and, after considering the Criteria, made a recommendation to City Council to approve the requested zoning; and

WHEREAS, on December 3, 2024, the City Council conducted a public hearing and after considering the Criteria and recommendation by the Planning and Zoning Commission, determined that the requested zoning be approved as provided for herein.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS THAT:

Section 1. The Property as shown and more particularly described in the attached Exhibit A, is hereby zoned to Main Street Mixed Use District (MSMU).

Section 2. The Official Zoning Map of the City of Schertz, described and referred to in Article 2 of the Unified Development Code, shall be revised to reflect the above amendment.

Section 3. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

Section 4. All ordinances and codes, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.

Section 5. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 6. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City hereby declares that this Ordinance would have been enacted without such invalid provision.

Section 7. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

Section 8. This Ordinance shall be effective upon the date of final adoption hereof and any publication required by law.

Section 9. This Ordinance shall be cumulative of all other ordinances of the City of Schertz, and this Ordinance shall not operate to repeal or affect any other ordinances of the City of Schertz except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which event such conflicting provisions, if any, are hereby repealed.

PASSED, APPROVED and ADOPTED on this ____ day of _____ 2024.

CITY OF SCHERTZ, TEXAS

Ralph Gutierrez, Mayor

ATTEST:

Sheila Edmondson, City Secretary

(city seal)

Exhibit "A"

Property Survey

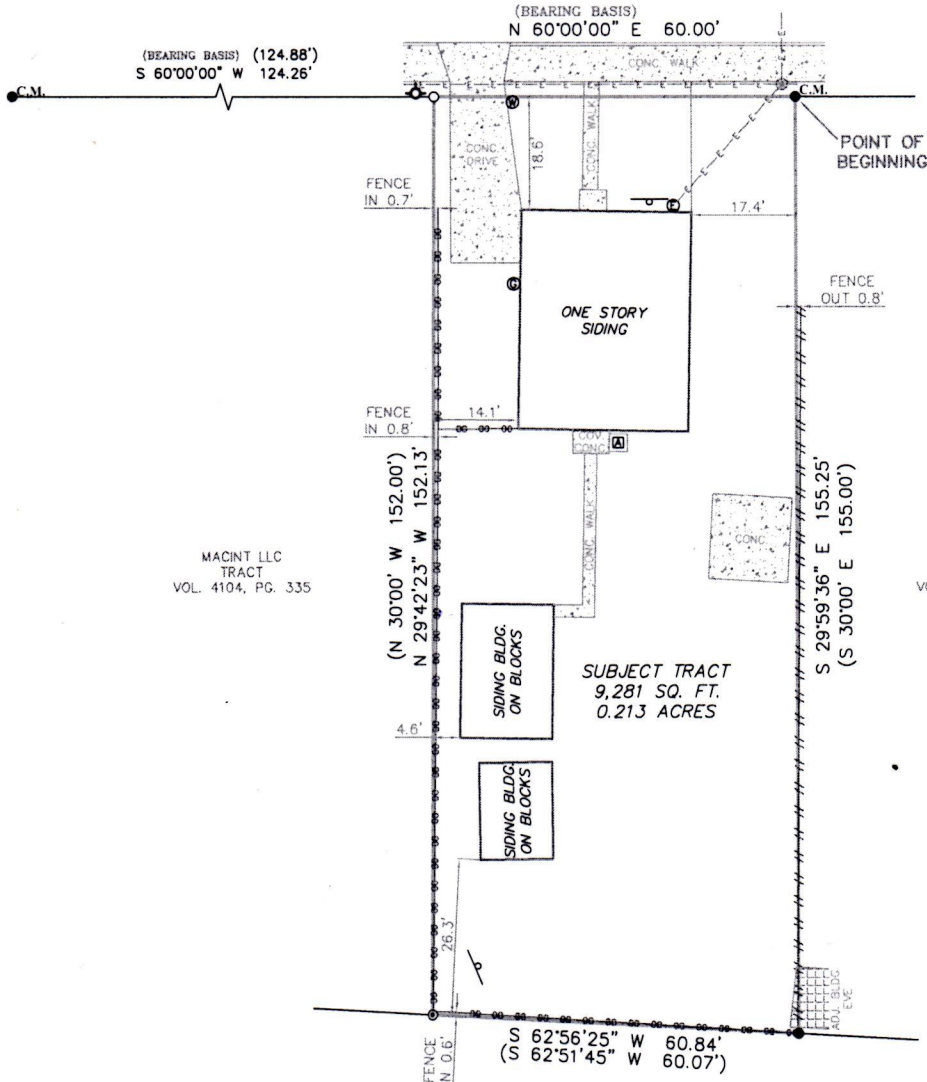
NOTE:
THIS PROPERTY IS SUBJECT TO A
TELECOMMUNICATION EASEMENT RECORDED IN
COUNTY CLERK'S NO. 2015012533, REAL
PROPERTY RECORDS OF GUADALUPE COUNTY
COUNTY, TEXAS. (LOCATION NOT DEFINED)

Exhibit "A" Property Survey

MAIN STREET
(60' R.O.W.)



SCALE: 1"=20'



UNION PACIFIC RAILROAD
(100' R.O.W.) (BOOK N, PG. 685)

NOTE:
BEARINGS SHOWN HEREON ARE BASED ON RECORD DEED INDICATED BELOW.

NOTE:
THIS PROPERTY IS SUBJECT TO RESTRICTIVE COVENANTS, EASEMENTS, AGREEMENTS,
AND/OR SETBACK LINES (IF ANY) AS FOLLOWS: COUNTY CLERK'S NUMBER
2015012533, REAL PROPERTY RECORDS, GUADALUPE COUNTY, TEXAS.

LEGEND CONT.

- = HOOD FENCE
- = SOW
- = CHAIN LINK FENCE
- ⊠= A/C PAD

THIS SURVEY IS
ACKNOWLEDGED AND
IS ACCEPTED:

[Signature]



FLOOD ZONE INTERPRETATION: IT IS THE RESPONSIBILITY OF ANY INTERESTED PERSONS TO VERIFY THE ACCURACY OF FEMA FLOOD ZONE DESIGNATION OF THIS PROPERTY WITH FEMA AND STATE AND LOCAL OFFICIALS, AND TO DETERMINE THE EFFECT THAT SUCH DESIGNATION MAY HAVE REGARDING THE INTENDED USE OF THE PROPERTY. The property made the subject of this survey appears to be included in a FEMA Flood Insurance Rate Map (FIRM), identified as Community No. 48187C, Panel No. 0220 F, which is Dated 11/02/2007. By scaling from that FIRM, it appears that all or a portion of the property may be in Flood Zone(s) AE. Because this is a boundary survey, the surveyor did not take any actions to determine the Flood Zone status of the surveyed property other than to interpret the information set out on FEMA's FIRM, as described above. THIS SURVEYOR DOES NOT CERTIFY THE ACCURACY OF THIS INTERPRETATION OF THE FLOOD ZONES, which may not agree with the interpretations of FEMA or State or local officials, and which may not agree with the tract's actual conditions. More information concerning FEMA's Special Flood Hazard Areas and Zones may be found at <http://www.fema.gov/portals>.

Property Address:
702 MAIN STREET
Property Description:
BEING 0.213 ACRES OF LAND, MORE OR LESS, SITUATED IN THE G. MALPAZ SURVEY NO. 67, ABSTRACT 221, GUADALUPE COUNTY, TEXAS, AND BEING THAT SAME PROPERTY DESCRIBED IN A WARRANTY DEED WITH VENDOR'S LIEN RECORDED IN VOLUME 116B, PAGE 56B, OFFICIAL PUBLIC RECORDS, GUADALUPE COUNTY, TEXAS; SAID 0.213 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS ATTACHED HERETO.

Owner:
HSMR INC

RUDOLF J. PATA, JR., Registered Professional Land Surveyor, State of Texas, certify that the above plat represents an actual survey made on the ground under my supervision, and that my professional opinion is that there are no discrepancies, conflicts, shortages in area or boundary lines, or any encroachment or overlapping of improvements, except as may appear herein, to the best of my knowledge and belief.

[Signature]

RUDOLF J. PATA, JR.
Registered Professional Land Surveyor
Texas Registration No. 5388

FIRM REGISTRATION NO. 10111700

Westar Alamo
LAND SURVEYORS, LLC.
P.O. BOX 1845 BOERNE, TEXAS 78008
PHONE (210) 372-9500 FAX (210) 372-9999

- LEGEND**
- = SET 1/2" IRON ROD CAPPED "WALS"
 - = FOUND 1" IRON PIPE
 - = FOUND 1/2" IRON ROD
 - = RECORD INFORMATION
 - = BUILDING SETBACK
 - = RECORD DIGNITY MONUMENT
 - = POWER POLE
 - = OVERHEAD ELECTRIC
 - = ELECTRIC METER
 - = GAS LINE WITHOUT METER
 - = WATER METER
 - = FIRE HYDRANT
 - = WATER VALVE
- DWG: CJ RVD: MJE

Exhibit "B"

Zoning Exhibit

CURRENT

Exhibit "B"
Zoning Exhibit



PROPOSED



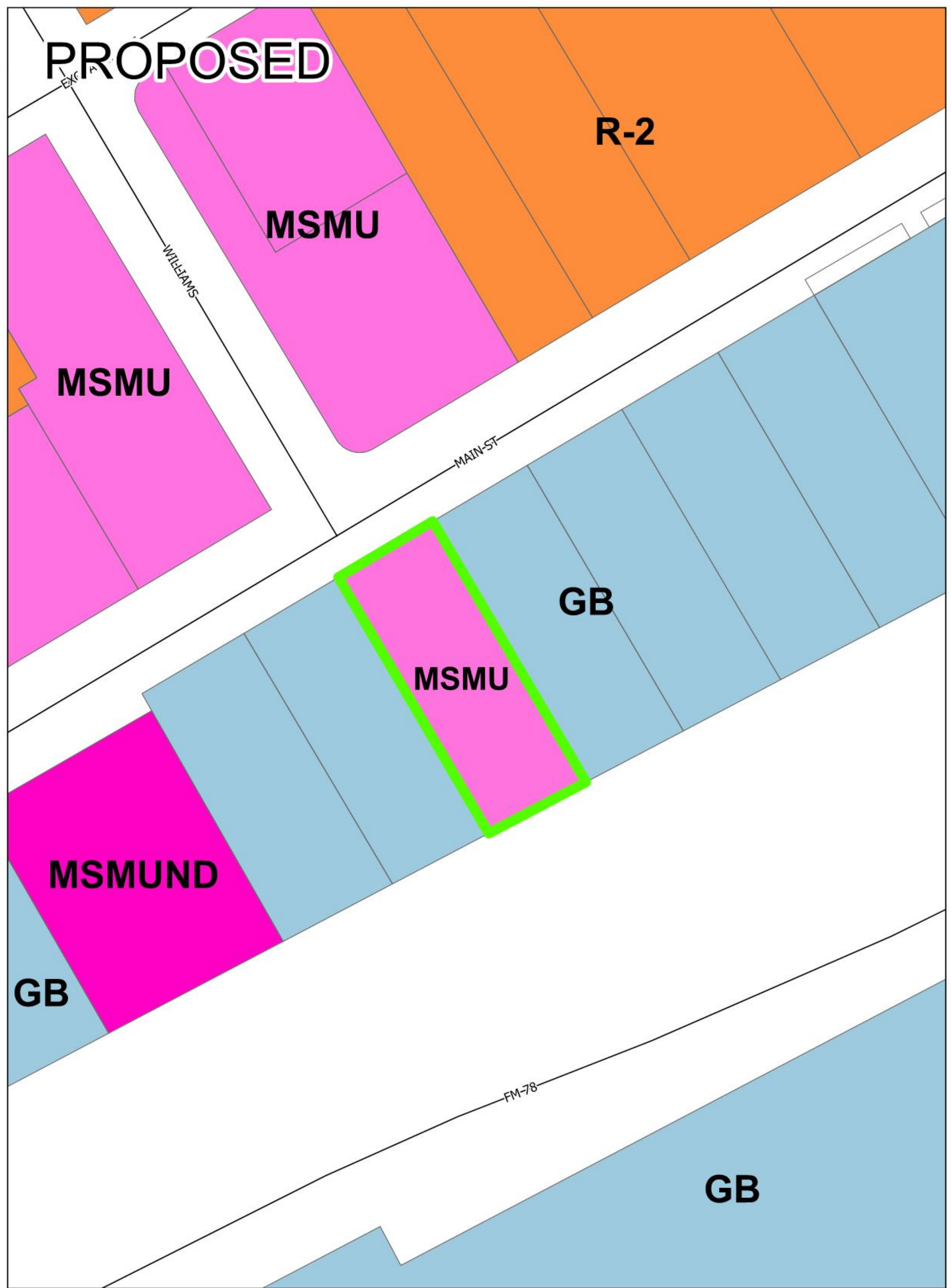
Last update: October 16th, 2024
City of Schertz, GIS Specialist: Alexa Venezia, avenezia@schertz.com (210) 619-1174

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 damages whatsoever arising out of or in connection with the use of or performance of these materials. Information published in this product could include technical inaccuracies or typographical errors. Periodical changes may be added to the information herein. The City of Schertz may make improvements and/or changes in the product(s) described herein at any time.

PROPOSED ZONING CHANGE GUADALUPE COUNTY PARCEL ID: 21458

Classification	
(PRE) Pre-Development	(R-4) Apartment/Multi-Family Residential
(PDD) Planned Development	(R-6) Single-family Residential
(PUB) Public Use	(R-7) Single-family Residential
(R-A) Single-family Residential/Agricultural	(AD) Agricultural District
(R-1) Single-Family Residential	(GH) Garden Home/Single-Family Residential (Zero Lot Line)
(R-2) Single-Family Residential	(TH) Townhome
(R-3) Two-Family Residential	(MHS) Manufactured Home Subdivision
	(MHP) Manufactured Home Parks
	(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)
	(DVL) Development Agreement (Delayed Annexation)





SCHERTZ
COMMUNITY • SERVICE • OPPORTUNITY

Last update: October 16th, 2024
City of Schertz, GIS Specialist: Alexa Venezia, avenezia@schertz.com (210) 619-1174

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PROPOSED ZONING CHANGE

**GUADALUPE COUNTY
PARCEL ID:
21458**

Classification	
	(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
	(AD) Agricultural District
	(GH) Garden Home/Single-Family Residential (Zero Lot Line)
	(TH) Townhome
	(MHS) Manufactured Home Subdivision
	(MHP) Manufactured Home Parks
	(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)
	(DVL) Development Agreement (Delayed Annexation)

0 30 60 120 180 Feet



City of Schertz

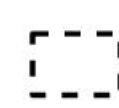
PARCEL ID: 21458
(PLZC20240255)



Project Boundary



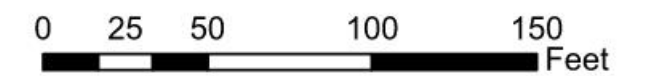
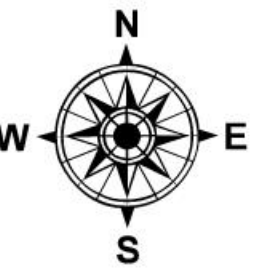
City Limits



Schertz ETJ
Boundary



200' Buffer



NOTICE OF PUBLIC HEARING

October 25, 2024

To whom it may concern,

The City of Schertz Planning and Zoning Commission will conduct a public hearing on **Wednesday, November 6th, 2024 at 6:00 p.m.** located at the Municipal Complex Council Chambers, 1400 Schertz Parkway, Building #4, Schertz, Texas to consider and act upon the following item:

PLZC20240255 - Hold a public hearing and make a recommendation on a request to rezone approximately .23 acres of land from General Business District (GB) to Main Street Mixed Use District (MSMU), more specifically known as 702 Main Street, also known as Guadalupe County Property Identification Number 21458, City of Schertz, Guadalupe County, Texas.

The Planning and Zoning Commission would like to hear how you feel about this request and invites you to attend the public hearing. You may return the reply form below by mail or personal delivery to Samuel Haas, Senior Planner at 1400 Schertz Parkway, Bldg. 1, Schertz, Texas 78154, or by e-mail planning@schertz.com. If you have any questions, please feel free to call Samuel Haas, Senior Planner directly at (210) 619-1783.

Sincerely,

Samuel Haas
Senior Planner

Reply Form:

City Council will have two readings on the request after the recommendation from the Planning and Zoning Commission. This form is used to calculate the protest in accordance with LGC, Local Government Code 211.006(d). **The written protest must be received by City no later than noon (central time) on the Friday before each reading by the City Council.** If the name of the person signing this form does not match the name listed as the owner on the appraisal district website, proof of ownership is required in order for this to count towards the protest.

I am: in favor of opposed to neutral to the request for PLZC20240255

COMMENTS: _____

NAME: Goldich (PLEASE PRINT), SIGNATURE gm Goldich

STREET ADDRESS: 801 Main Schertz 78154

DATE: 11-7-2024

Ord. 24-S-169

Zone Change of approximately .23 acres of land from General Business District (GB)
to Main Street Mixed Use District (MSMU)

Samuel Haas | Senior Planner



October 25, 2024:
10 Public Hearing
Notices sent

1 in favor
0 opposed
0 neutral

1 Sign placed on
property

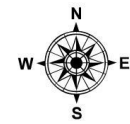
November 13, 2024:
Notice Published in
the SA Express



Last update: October 16th, 2024
City of Schertz, GIS Specialist: Alena Venezia, avenezai@schertz.com (210) 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 damages whatsoever arising out of or in connection with the use of or performance of these materials. Information published in this product could include technical inaccuracies or typographical errors. Periodical changes may be added to the information herein. The City of Schertz may make improvements and/or changes in the product(s) described herein at any time.

City of Schertz
PARCEL ID: 21458
(PLZC20240255)

-  Project Boundary
-  Schertz ETJ Boundary
-  City Limits
-  200' Buffer





Proposed Pet Store with grooming.

Adjacent Properties	Zoning	Land Use
North	ROW	Main St.
South	ROW	UP RR
East	GB	Commercial
West	GB	Residential

PROPOSED ZONING CHANGE

**GUADALUPE COUNTY
PARCEL ID:
21458**

Classification

- (PND) Pre-Development
- (PDCD) Planned Development
- (PUS) 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
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- (TH) Townhome
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- (MHP) Manufactured Home Parks
- (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)
- (DVA) Development Agreement (Delayed Annexation)



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 Comprehensive Plan designates this area as "Main Street Corridor"
- Intended to be a mix of residential, commercial, and cultural uses strategically designed to create a pedestrian-friendly urban core.
- The rezone of this property aligns with these goals and thus aligns with the Comprehensive Plan.



UDC SECTION 21.5.4.D Criteria for Approval

2. Whether the proposed zoning change promotes the health, safety, and general welfare of the City.

- Staff has determined that the proposed zone change will not adversely affect the safety and health of the city.
- Additionally, as part of promoting the general welfare, it is good practice to encourage cohesive districts with zoning and land uses that are consistent with the surrounding area.
- The Main Street corridor is a mixed-used area with a variety of commercial and residential uses. This zone change request promotes the general welfare by creating that cohesiveness.

UDC SECTION 21.5.4.D Criteria for Approval

3. Whether the uses permitted by the proposed change will be consistent and appropriate with existing uses in the immediate area;

- The Main Street Mixed Use District (MSMU) permits a wide variety of uses, from less-intense commercial to single-family detached residences.
- This matches what is currently in the immediate area of the property.

4. Whether other factors are deemed relevant and important in the consideration of the amendment.

- Main Street is the historical, geographical, and cultural heart of Schertz.
- The corridor sits in a flood zone and this presents challenges for development.
- Due to this, the city has adopted policies and has made efforts to incentivize the development of Main Street, such as the Local Flavor Grant and waiving some development application fees.
- Additionally, the city is currently in the design phase for reconstructing the Main Street thoroughfare itself. This rezone application builds on current and previous efforts to create a vibrant main street district for residents and visitors alike.

Recommendation

The proposed zone change conforms with the Comprehensive Plan, the surrounding land uses are consistent, and the Main Street Mixed Use District is uniquely appropriate for Main Street.

Therefore, Staff recommends approval of Ord 24-S-169.

The Planning and Zoning Commission held a public hearing on November 6, 2024 and made a recommendation of approval with a 4-0 vote.

CITY COUNCIL MEMORANDUM

City Council Meeting: December 03, 2024

Department: Planning & Community Development

Subject: Ordinance 24-S-168 - Conduct a public hearing and consider a request to rezone approximately 1.66 acres of land from General Business District (GB) and Single Family Residential District (R-2) to Main Street Mixed Use District (MSMU), more specifically known as 819, 817, and 815 Main Street and 810 Exchange Avenue, also known as Guadalupe County Property Identification Numbers 29057, 29058, 29059, 29060, 67493, 67495 City of Schertz, Guadalupe County, Texas. (B.James/L.Wood/S.Haas)

BACKGROUND

Per the letter of intent, the applicant seeks to rezone the property for potential development in the future.

On October 25, 2024, 21 public hearing notices were mailed to the surrounding properties within a 200-foot notification boundary of the subject property. At the time of the staff report, one (1) response in favor, zero (1) responses neutral, and zero (0) responses in opposition have been received. A public hearing notice was published in the "San Antonio Express" on November 13, 2024. Additionally, two (2) signs were placed on the subject property. The City of Schertz Police, Fire and EMS Departments have indicated they do not have any concerns regarding the proposed rezoning request.

Subject Property:

	Zoning	Land Use
Existing	General Business District (GB) and Single Family Residential District (R-2)	Undeveloped, Commercial (Florist), and Residential
Proposed	Main Street Mixed Use District (MSMU)	Undeveloped, Commercial (Florist), and Residential

Adjacent Properties:

	Zoning	Land Use
North	General Business District (GB) and Right of Way	Residential and Exchange Ave.
South	Right of Way	Main Street
East	Right of Way	Schertz Parkway
West	Single Family Residential District (R-2) and Main Street Mixed Used District (MSMU)	Commercial (Retail), and Residential

GOAL

The applicant seeks to rezone the properties to Main Street Mixed Use District (MSMU) for potential development in the future.

COMMUNITY BENEFIT

It is the City's desire to promote safe, orderly, efficient development and ensure compliance with the City's vision of future growth.

SUMMARY OF RECOMMENDED ACTION

When evaluating Zone Change applications, staff uses the Criteria for Approval located in UDC Section 21.5.4.D.

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

The Comprehensive Plan designates this area as "Main Street Corridor" which is intended to be a mix of residential, commercial, and cultural uses strategically designed to create a pedestrian-friendly urban core. The rezone of this property aligns with these goals and thus aligns with the Comprehensive Plan.

2. Whether the proposed zoning change promotes the health, safety, and general welfare of the City.

Staff has determined that the proposed zone change will not adversely affect the safety and health of the city. Additionally, as part of promoting the general welfare, it is good practice to encourage cohesive districts with zoning and land uses that are consistent with the surrounding area. The Main Street corridor is a mixed-used area with a variety of commercial and residential uses. This zone change request promotes the general welfare by creating that cohesiveness.

3. Whether the uses permitted by the proposed change will be consistent and appropriate with existing uses in the immediate area;

The Main Street Mixed Use District (MSMU) permits a wide variety of uses, from less-intense commercial to single-family detached residences. This matches what is currently in the immediate area of the property.

4. Whether other factors are deemed relevant and important in the consideration of the amendment.

Main Street is the historical, geographical, and cultural heart of Schertz. The corridor sits in a flood zone and this presents challenges for development. Due to this, the city has adopted policies and has made efforts to incentivize the development of Main Street, such as the Local Flavor Grant and waiving some development application fees. Additionally, the city is currently in the design phase for reconstructing the Main Street thoroughfare itself. This rezone application builds on current and previous efforts to create a vibrant main street district for residents and visitors alike.

For these reasons, staff is recommending approval of Ord. 24-S-168.

The Planning and Zoning Commission held a public hearing on November 6, 2024 and made a recommendation of approval with a 4-0 vote.

RECOMMENDATION

Approval of Ordinance 24-S-168

Attachments

Ord. 24-S-168 with Exhibits

Aerial Exhibit

Zoning Exhibit

Public Hearing Notice Map

Public Hearing Responses

City Council Presentation Slides

ORDINANCE NO. 24-S-168

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS TO REZONE APPROXIMATELY 1.66 ACRES OF LAND FROM GENERAL BUSINESS DISTRICT (GB) AND SINGLE FAMILY RESIDENTIAL DISTRICT (R-2) TO MAIN STREET MIXED USE DISTRICT (MSMU), KNOWN AS 819, 817, AND 815 MAIN STREET AND 810 EXCHANGE AVENUE, ALSO KNOWN AS GUADALUPE COUNTY PROPERTY IDENTIFICATION NUMBERS 29057, 29058, 29059, 29060, 67493, 67495, CITY OF SCHERTZ, GUADALUPE COUNTY, TEXAS

WHEREAS, an application for a request to rezone approximately 1.66 acres of land from General Business District (GB) and Single Family Residential District (R-2) to Main Street Mixed Use District (MSMU), known as 819, 817, and 815 Main Street and 810 Exchange Avenue, also known as Guadalupe County Property Identification Numbers 29057, 29058, 29059, 29060, 67493, 67495, City of Schertz, Guadalupe County, Texas, more specifically described in the Exhibit A attached herein (herein, the “Property”) has been filed with the City; and

WHEREAS, the City’s Unified Development Code Section 21.5.4.D. provides for certain criteria to be considered by the Planning and Zoning Commission in making recommendations to City Council and by City Council in considering final action on a requested zoning (the “Criteria”); and

WHEREAS, on November 6, 2024, the Planning and Zoning Commission conducted a public hearing and, after considering the Criteria, made a recommendation to City Council to approve the requested zoning; and

WHEREAS, on December 3, 2024, the City Council conducted a public hearing and after considering the Criteria and recommendation by the Planning and Zoning Commission, determined that the requested zoning be approved as provided for herein.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS THAT:

Section 1. The Property as shown and more particularly described in the attached Exhibit A, is hereby zoned to Main Street Mixed Use District (MSMU).

Section 2. The Official Zoning Map of the City of Schertz, described and referred to in Article 2 of the Unified Development Code, shall be revised to reflect the above amendment.

Section 3. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

Section 4. All ordinances and codes, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.

Section 5. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 6. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City hereby declares that this Ordinance would have been enacted without such invalid provision.

Section 7. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

Section 8. This Ordinance shall be effective upon the date of final adoption hereof and any publication required by law.

Section 9. This Ordinance shall be cumulative of all other ordinances of the City of Schertz, and this Ordinance shall not operate to repeal or affect any other ordinances of the City of Schertz except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which event such conflicting provisions, if any, are hereby repealed.

PASSED, APPROVED and ADOPTED on this ____ day of _____ 2024.

CITY OF SCHERTZ, TEXAS

Ralph Gutierrez, Mayor

ATTEST:

Sheila Edmondson, City Secretary

(city seal)

Exhibit "A"

Zoning Exhibit

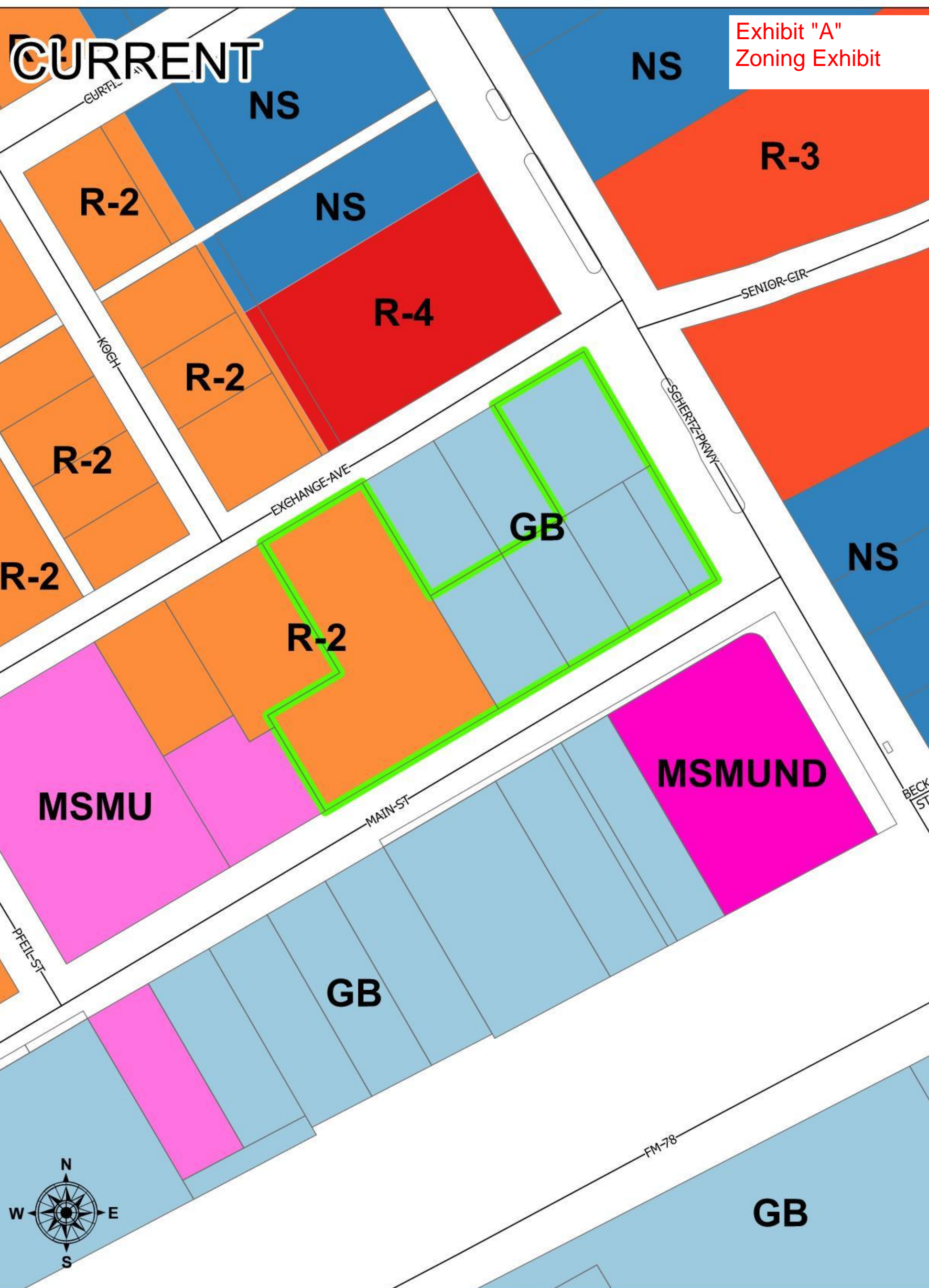


Exhibit "A"
Zoning Exhibit

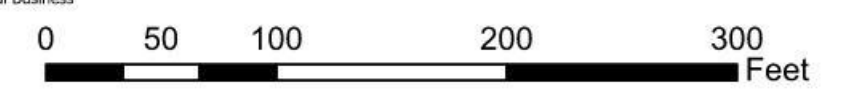


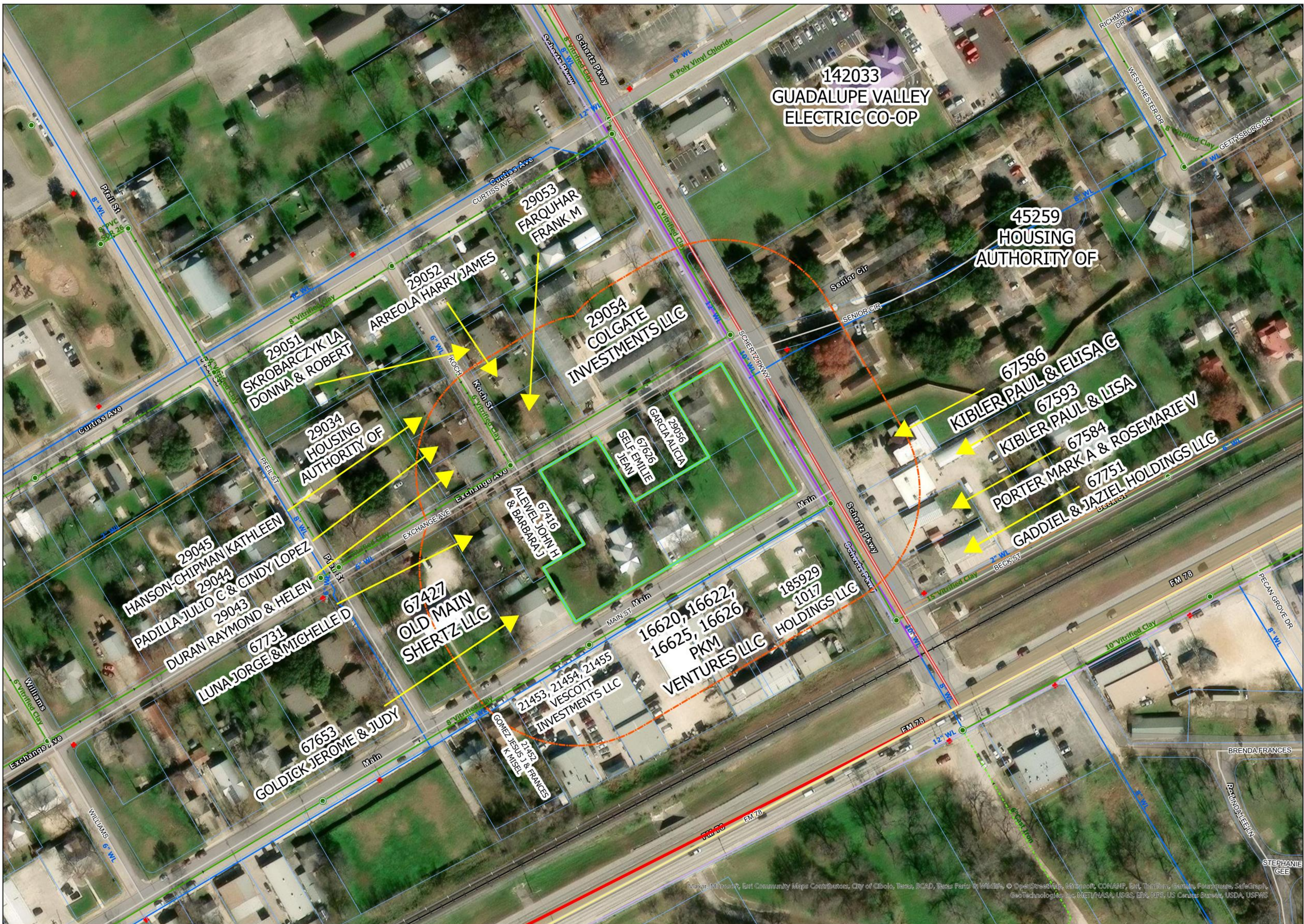
City of Schertz, GIS Specialist: Alexa Venezia, avenezia@schertz.com (210) 619-1174

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PROPOSED ZONING CHANGE
GUADALUPE COUNTY
PARCEL IDs:
67495, 37493, 29058, 29059,
29060, 29057

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





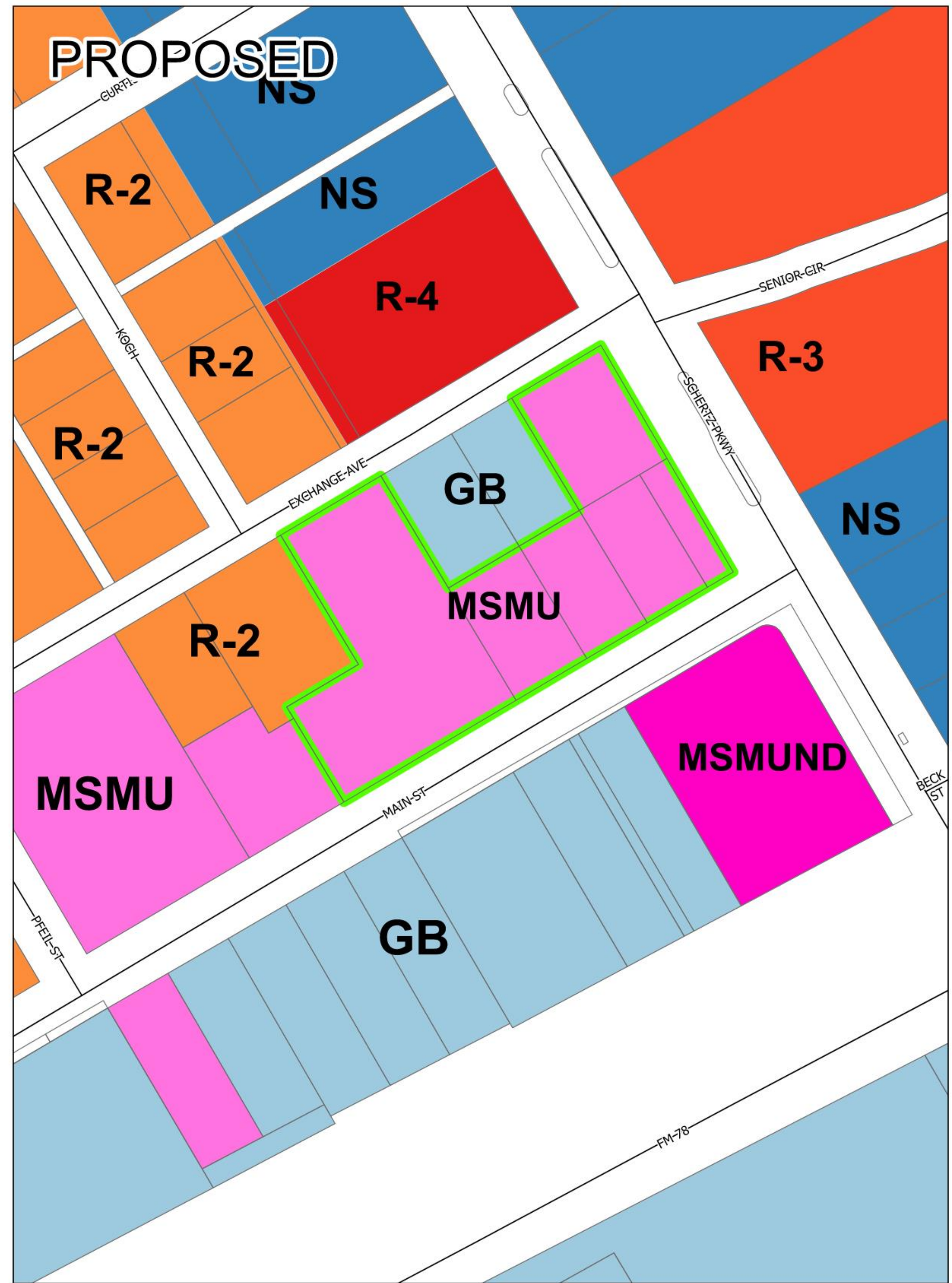
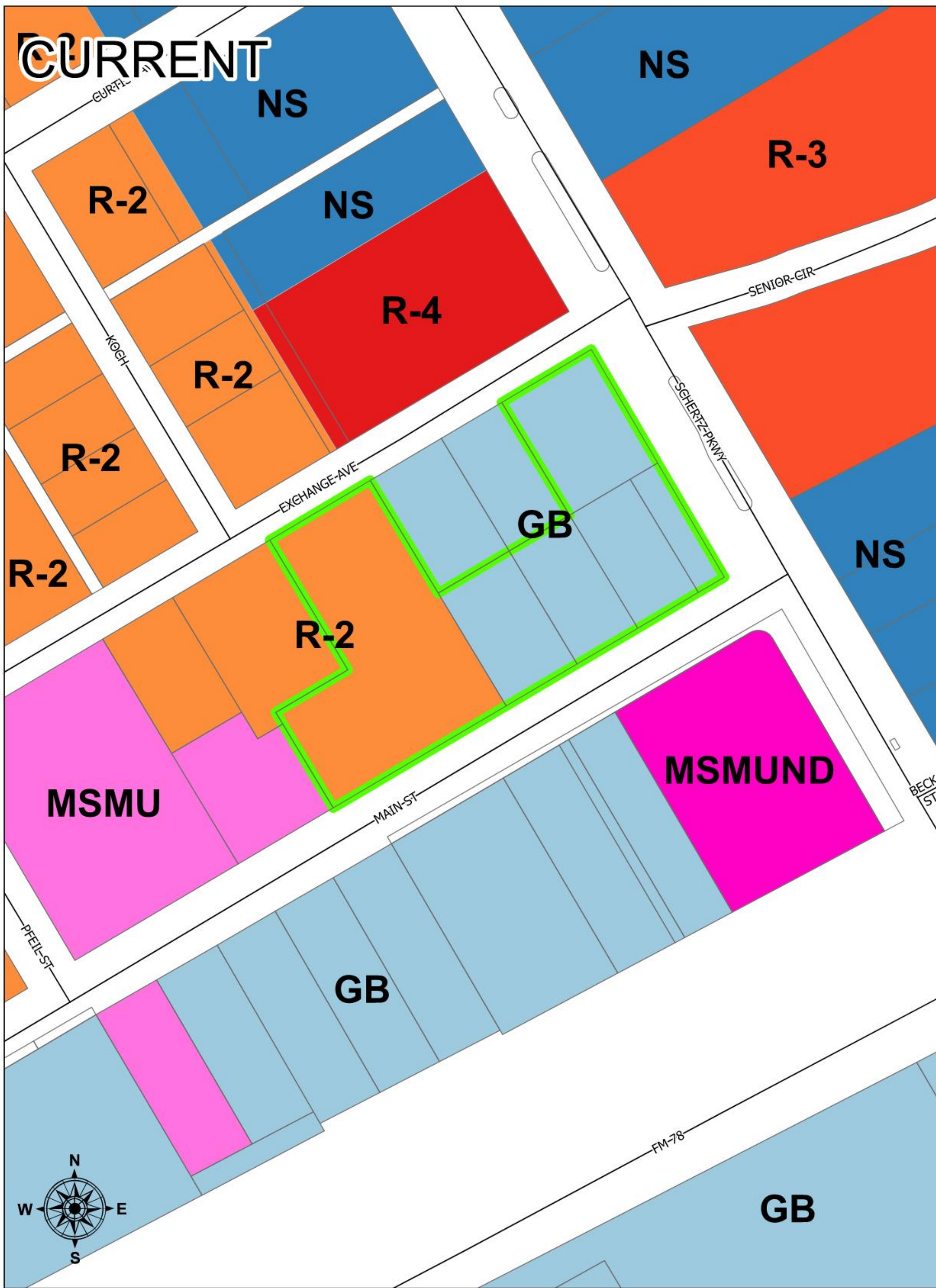
Mapbox, Mapbox ©, Esri, Community Maps Contributors, City of Cibola, Texas, BCAD, Texas Parks & Wildlife, © OpenStreetMap contributors, Microsoft, COMNAV, Esri, TomTom, Garmin, Fourastars, SafeGraph, GeoTechnologies Inc., MET/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS

SCHIERITZ
COMMUNITY • SERVICE • OPPORTUNITY

Contreras Properties
PLZC20240232

<ul style="list-style-type: none"> Highways Major Roads Minor Roads 	<ul style="list-style-type: none"> Freeway Principal Arterial Planned Principal Arterial Secondary Arterial Planned Secondary Arterial Secondary Rural Arterial 	<ul style="list-style-type: none"> Planned Secondary Rural Arterial Residential Collector Planned Residential Collector Planned Commercial Collector B Commercial Collector A Planned Commercial Collector A 	<ul style="list-style-type: none"> 1" 2" 3" 4" 6" 	<ul style="list-style-type: none"> 8" 10" 12" 16" 18" 	<ul style="list-style-type: none"> 20" 24" 30" 36" Unknown 	<ul style="list-style-type: none"> Schertz Gravity Schertz Pressure Neighboring Gravity Private Pressure 	<ul style="list-style-type: none"> Hydrant Manholes CCMA Lift Station Private Lift Station Schertz Lift Station CCMA Treatment Plant Schertz Treatment Plant 	<ul style="list-style-type: none"> County Boundaries Schertz Municipal Boundary ETJ
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0 50 100 200 300 Feet



SCHERTZ
COMMUNITY • SERVICE • OPPORTUNITY

Last update: October 21st, 2024
City of Schertz, GIS Specialist: Alexa Venezia, avenezia@schertz.com (210) 619-1174

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PROPOSED ZONING CHANGE

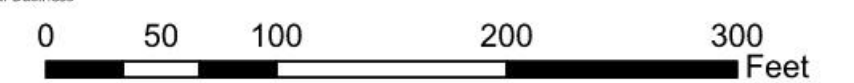
GUADALUPE COUNTY

PARCEL IDs:

67495, 37493, 29058, 29059,
29060, 29057

Classification

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





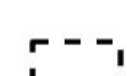
City of Schertz

PARCEL IDs:

67495, 67493, 29058, 29059, 29060,
29057



Project Boundary



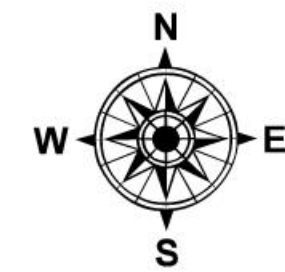
Schertz ETJ
Boundary



City Limits



200' Buffer



NOTICE OF PUBLIC HEARING

October 25, 2024

To whom it may concern,

The City of Schertz Planning and Zoning Commission will conduct a public hearing on **Wednesday, November 6th, 2024 at 6:00 p.m.** located at the Municipal Complex Council Chambers, 1400 Schertz Parkway, Building #4, Schertz, Texas to consider and act upon the following item:

PLZC20240232 - Hold a public hearing and make a recommendation on a request to rezone approximately 1.66 acres of land from General Business District (GB) and Single Family Residential District (R-2) to Main Street Mixed Use District (MSMU), more specifically known as 819, 817, and 815 Main Street and 810 Exchange Avenue, also known as Guadalupe County Property Identification Numbers 29057, 29058, 29059, 29060, 67493, 67495 City of Schertz, Guadalupe County, Texas.

The Planning and Zoning Commission would like to hear how you feel about this request and invites you to attend the public hearing. You may return the reply form below by mail or personal delivery to Samuel Haas, Senior Planner at 1400 Schertz Parkway, Bldg. 1, Schertz, Texas 78154, or by e-mail planning@schertz.com. If you have any questions, please feel free to call Samuel Haas, Senior Planner directly at (210) 619-1783.

Sincerely,

Samuel Haas
Senior Planner

Reply Form:

City Council will have two readings on the request after the recommendation from the Planning and Zoning Commission. This form is used to calculate the protest in accordance with LGC, Local Government Code 211.006(d). **The written protest must be received by City no later than noon (central time) on the Friday before each reading by the City Council.** If the name of the person signing this form does not match the name listed as the owner on the appraisal district website, proof of ownership is required in order for this to count towards the protest.

I am: in favor of opposed to neutral to the request for PLZC20240232

COMMENTS: _____

NAME: Goldick (PLEASE PRINT) SIGNATURE: JM Goldick

STREET ADDRESS: 807 Maria Schertz Tx 78154

DATE: 11-4-24

Reply Form:

City Council will have two readings on the request after the recommendation from the Planning and Zoning Commission. This form is used to calculate the protest in accordance with LGC, Local Government Code 211.006(d). **The written protest must be received by City no later than noon (central time) on the Friday before each reading by the City Council.** If the name of the person signing this form does not match the name listed as the owner on the appraisal district website, proof of ownership is required in order for this to count towards the protest.

I am: in favor of opposed to neutral to the request for PLZC20240232

COMMENTS: no comment at this time

NAME: Jorge + Michelle Luna (PLEASE PRINT) SIGNATURE Jorge Luna, Michelle Luna

STREET ADDRESS: 802 Exchange Avenue

DATE: 10/31/24



Ord. 24-S-168

Zone Change of approximately 1.66 acres of land from General Business District (GB) and Single Family Residential (R-2) to Main Street Mixed Use District (MSMU)

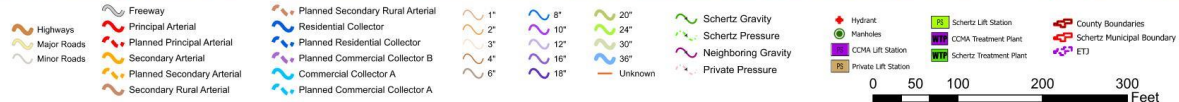
Samuel Haas | Senior Planner

Approx. 1.66 ac

- 819, 817, 815 Main Street
- 810 Exchange



Contreras Properties
PLZC20240232



SCHERTZ
COMMUNITY. SERVICE. OPPORTUNITY.



October 25, 2024:
21 Public Hearing
Notices sent

1 in favor
0 opposed
1 neutral

2 Signs placed on
property

November 13, 2024:
Notice was
published in the "SA
Express"



Last update: October 21st, 2024

City of Schertz, GIS Specialist: Akena Venezia, aveneza@schertz.com (210) 619-1174
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City of Schertz

PARCEL IDs:

67495, 67493, 29058, 29059, 29060,
29057



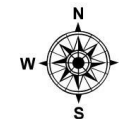
Project Boundary



Schertz ETJ
Boundary

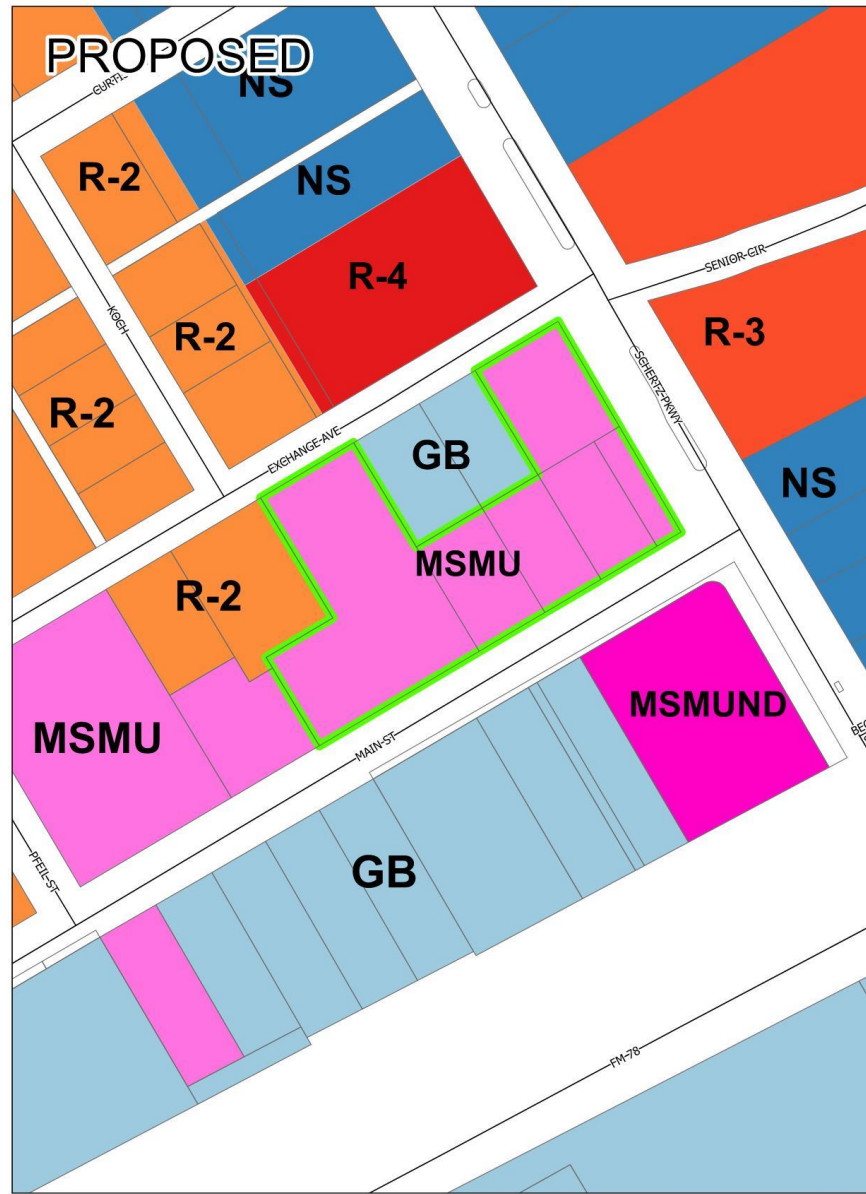
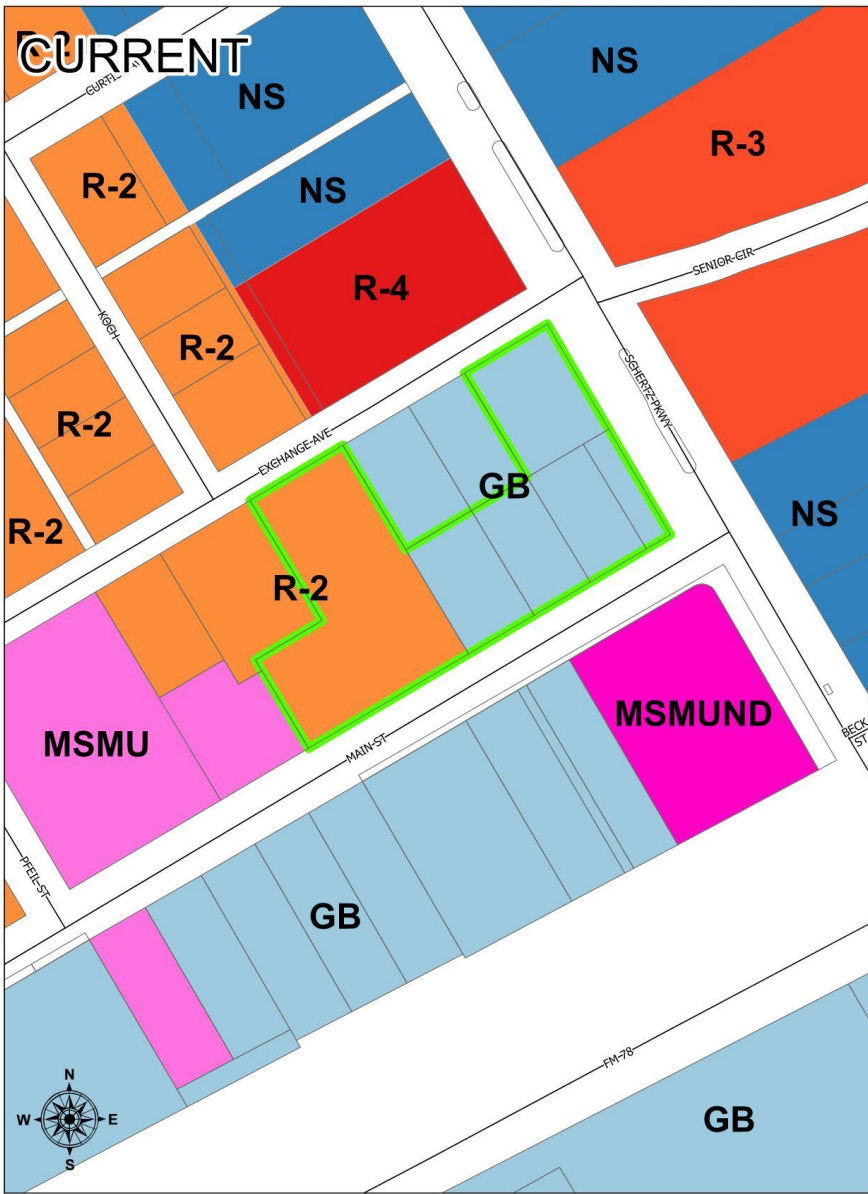
City Limits

200' Buffer



0 50 100 200 300 Feet





Proposed zone change for future development

Adjacent Properties	Zoning	Land Use
North	GB & ROW	Residential & Exchange Ave
South	ROW	Main St.
East	ROW	Schertz Pkwy
West	MSMU & R-2	Commercial & Residential

PROPOSED ZONING CHANGE

**GUADALUPE COUNTY
PARCEL IDs:
67495, 37493, 29058, 29059,
29060, 29057**

Classification

- (IND) In-Development
- (POD) Planned Development
- (PUB) Public Use
- (R-4) 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
- (AD) Agricultural District
- (GH) Garden Home/Single-Family Residential (Zero Lot Line)
- (TH) Townhome
- (MS) Manufactured Home Subdivision
- (MSP) Manufactured Home Parks
- (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)
- (DVA) Development Agreement (Delayed Annexation)



UDC SECTION 21.5.4.D Criteria for Approval

2. Whether the proposed zoning change promotes the health, safety, and general welfare of the City.

- Staff has determined that the proposed zone change will not adversely affect the safety and health of the city.
- Additionally, as part of promoting the general welfare, it is good practice to encourage cohesive districts with zoning and land uses that are consistent with the surrounding area.
- The Main Street corridor is a mixed-used area with a variety of commercial and residential uses. This zone change request promotes the general welfare by creating that cohesiveness.

UDC SECTION 21.5.4.D Criteria for Approval

3. Whether the uses permitted by the proposed change will be consistent and appropriate with existing uses in the immediate area;

- The Main Street Mixed Use District (MSMU) permits a wide variety of uses, from less-intense commercial to single-family detached residences.
- This matches what is currently in the immediate area of the property.

4. Whether other factors are deemed relevant and important in the consideration of the amendment.

- Main Street is the historical, geographical, and cultural heart of Schertz.
- The corridor sits in a flood zone and this presents challenges for development.
- Due to this, the city has adopted policies and has made efforts to incentivize the development of Main Street, such as the Local Flavor Grant and waiving some development application fees.
- Additionally, the city is currently in the design phase for reconstructing the Main Street thoroughfare itself. This rezone application builds on current and previous efforts to create a vibrant main street district for residents and visitors alike.

Recommendation

The proposed zone change conforms with the Comprehensive Plan, the surrounding land uses are consistent, and the Main Street Mixed Use District is uniquely appropriate for Main Street.

Therefore, Staff recommends approval of Ord. 24-S-168.

The Planning and Zoning Commission held a public hearing on November 6, 2024, and made a recommendation of approval with a 4-0 vote.

CITY COUNCIL MEMORANDUM

City Council Meeting: December 03, 2024
Department: Planning & Community Development
Subject: Ordinance 24-A-158- Conduct a public hearing and consider a request for voluntary annexation of approximately 3.014-acres, a portion of Comal County Property Identification Number 79004 Comal County, Texas. (B.James/L.Wood/E.Delgado)

BACKGROUND

In July of 2024 the City of Schertz City Council approved ordinances to annex over 3,107 acres into the City of Schertz based on expiring Delayed Annexation Development Agreements. As part of that process, Comal County Property Identification numbers 79004, 79006, and 79009 owned by Timothy A. Fey and Sharlene E. Fey were scheduled to be annexed and zoned. However, as part of that annexation effort, City Council approved Resolution 24-R-81 which authorized the approval of a Development Agreement with Timothy A. Fey and Sharlene E. Fey. The Fey's own approximately 100.535 acres of property, of which approximately 1 acre is utilized as their homestead and the remainder is used for agricultural purposes. As part of the agreement, the property owner authorized the annexation of the agricultural land, while the residential land was to remain in the ETJ. Based on the agreements terms, on July 16, 2024, in addition to approving resolution 24-R-81, City Council also approved Ordinance 24-A-49 and 24-A-50, which annexed Comal County Property IDs 79006, and 79009, or the agricultural tracts.

However, Comal County Property Identification Number 79004 is only partially utilized for residential. Per the agreement, only 1-acre of the approximately 4.014-acre tract is utilized for residential, while the remaining 3.014-acres is used for agricultural purposes. Based on the conditions of the agreement, due to the 3.014-acres not being used for residential purposes, the City is proceeding forward with annexation of the agricultural portion of Comal County Property ID 79004.

Resolution 24-R-131 was the first step in the annexation process for the approximately 3.014 acres, a portion of Comal County Property ID 79004. City Council approved Resolution 24-R-131 on October 15, 2024, which accepted the petition for voluntary annexation. The adoption of resolution 24-R-131 did not annex the subject property, but allowed City Council to annex the property by ordinance in the future. Ordinance 24-A-158 is the annexation ordinance that would officially annex the approximately 3.014-acres which will be accompanied by a service agreement to meet the requirements of UDC Section 21.4.8 and LGC § 43.0672. The zoning application to accompany the annexation was heard by the Planning and Zoning Commission at the November 6, 2024 meeting and is also scheduled for a public hearing at the December 3, 2024 City Council meeting, specifically Ordinance 24-S-159.

A public hearing notice was published on November 20, 2024, in the "San Antonio Express" for Ordinance 24-A-158. A public hearing notice was mailed to Comal ISD on November 20, 2024. Additionally, a public hearing notice was posted on the City of Schertz website.

Under Texas Local Government Code Section 43.057, Staff finds that surrounding any area, but not including such area within the City limits through this annexation, is in the public's interest.

GOAL

To continue the voluntary annexation process for approximately 3.014 acres of Comal County Property Identification Number 79004, in accordance with the Delayed Annexation Development Agreements and the Development Agreement Extensions, and Resolution 24-R-81 as approved by City Council on July 16, 2024.

COMMUNITY BENEFIT

Promote the safe, orderly, efficient development and ensure compliance with the City's vision of future growth.

SUMMARY OF RECOMMENDED ACTION

Staff recommends approval of Ordinance 24-A-158, accepting a petition for voluntary annexation for approximately 3.014-acres, more specifically a portion of Comal County Property Identification Number 79004, Comal County, Texas.

FISCAL IMPACT

In accordance with Texas Local Government Code (LGC) Chapter 43, the City must provide services to the land on the effective date of the annexation. With City Council approving Resolution 24-R-81 which authorized the approval of a Development Agreement with Timothy A. Fey and Sharlene E. Fey, it was determined that the agricultural properties under their ownership would be annexed into the City of Schertz which would require the City to provide services.

RECOMMENDATION

Based on previously approved Resolution 24-R-81 the subject property, utilized for agricultural purposes is to be annexed into the City of Schertz. Staff recommends Approval of Ordinance 24-A-158.

Attachments

Ordinance No. 24-A-158 with Attachments

Subject Property Exhibit

City Council Presentation Slides

ORDINANCE NO. 24-A-158

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS PROVIDING FOR THE EXTENSION OF THE BOUNDARY LINES OF THE CITY OF SCHERTZ, TEXAS BY THE ANNEXATION OF APPROXIMATELY 3.014-ACRES, KNOWN AS A PORTION OF COMAL COUNTY PROPERTY IDENTIFICATION NUMBER 79004, COMAL COUNTY, TEXAS.

WHEREAS, the City Council of the City of Schertz (the “City”) has determined that it should annex the territory described on Exhibit A attached hereto and made a part hereof (the “Annexed Land”); and

WHEREAS, the Annexed Land is located entirely within the extraterritorial jurisdiction of the City, is contiguous to the corporate boundaries of the City (or is deemed to be contiguous, pursuant to Section 43.016 of the Texas Local Government Code, as amended), and may be annexed pursuant to Chapter 43 of the Texas Local Government Code, as amended; and

WHEREAS, Texas Local Government Code Section 43.0671 authorizes the City of Schertz to extend its City limit boundaries through the voluntary annexation of area adjacent to those boundaries upon petition of a landowner; and

WHEREAS, a public hearing notice was published in the San Antonio Express News on November 20, 2024 for the hearing on December 3, 2024; and

WHEREAS, on October 15, 2024 the City Council considered the request for voluntary annexation, and adopted Resolution 24-R-131 accepting a petition for voluntary annexation; and

WHEREAS, the City Council finds that surrounding any area, but not including such area within the City limits, through this annexation is in the public’s interest pursuant to Texas Local Government Code section 43.057; and

WHEREAS, the City Council finds that the Annexed Land is suitable, and it is in the best interest of the City and the citizens and inhabitants thereof that the Annexed Land be annexed to and made a part of the City.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS THAT:

Section 1. The City hereby annexes the Land described in Exhibit A.

Section 2. The Annexed Land shall be included within the City’s corporate limits effective on the effective date of this Ordinance, and all taxable property in the Annexed Land shall hereafter bear its pro rata part of the taxes levied by the City, subject to allowable exemptions.

Section 3. The land and territory more particularly described as that portion of the tract of land described in Exhibit A, attached hereto and incorporated herein by reference shall be part of the City of Schertz, Texas and inhabitants thereof shall be entitled to all of the rights and privileges as citizens and shall be bound by the acts, ordinances, resolutions, and regulations of the City of Schertz, Texas.

Section 4. A service plan outlining the provisions of necessary municipal service to the properties described in Exhibit A is hereby approved and the implementation of said plan is hereby authorized. Such plans are attached hereto and incorporated herein as Exhibit B.

Section 5. The City manager is hereby authorized and directed to take appropriate action to have the official map of the City revised to reflect the additions to the City's Corporate Limits and the City Secretary is hereby authorized and directed to provide appropriate notice to the State of Texas and the County of Guadalupe of this annexation.

Section 6. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

Section 7. All ordinances and codes, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.

Section 8. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 9. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City hereby declares that this Ordinance would have been enacted without such invalid provision.

Section 10. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

Section 11. This Ordinance shall be effective upon the date of final adoption hereof and any publication required by law.

Section 12. This Ordinance shall be cumulative of all other ordinances of the City of Schertz, and this Ordinance shall not operate to repeal or affect any other ordinances of the City of Schertz except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which event such conflicting provisions, if any, are hereby repealed.

PASSED, APPROVED and ADOPTED on this _____ day of _____, 2024.

CITY OF SCHERTZ, TEXAS

Ralph Gutierrez, Mayor

ATTEST:

Sheila Edmondson, City Secretary

Exhibit “A”: Property Depiction

Exhibit "A": Property Depiction

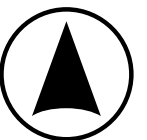
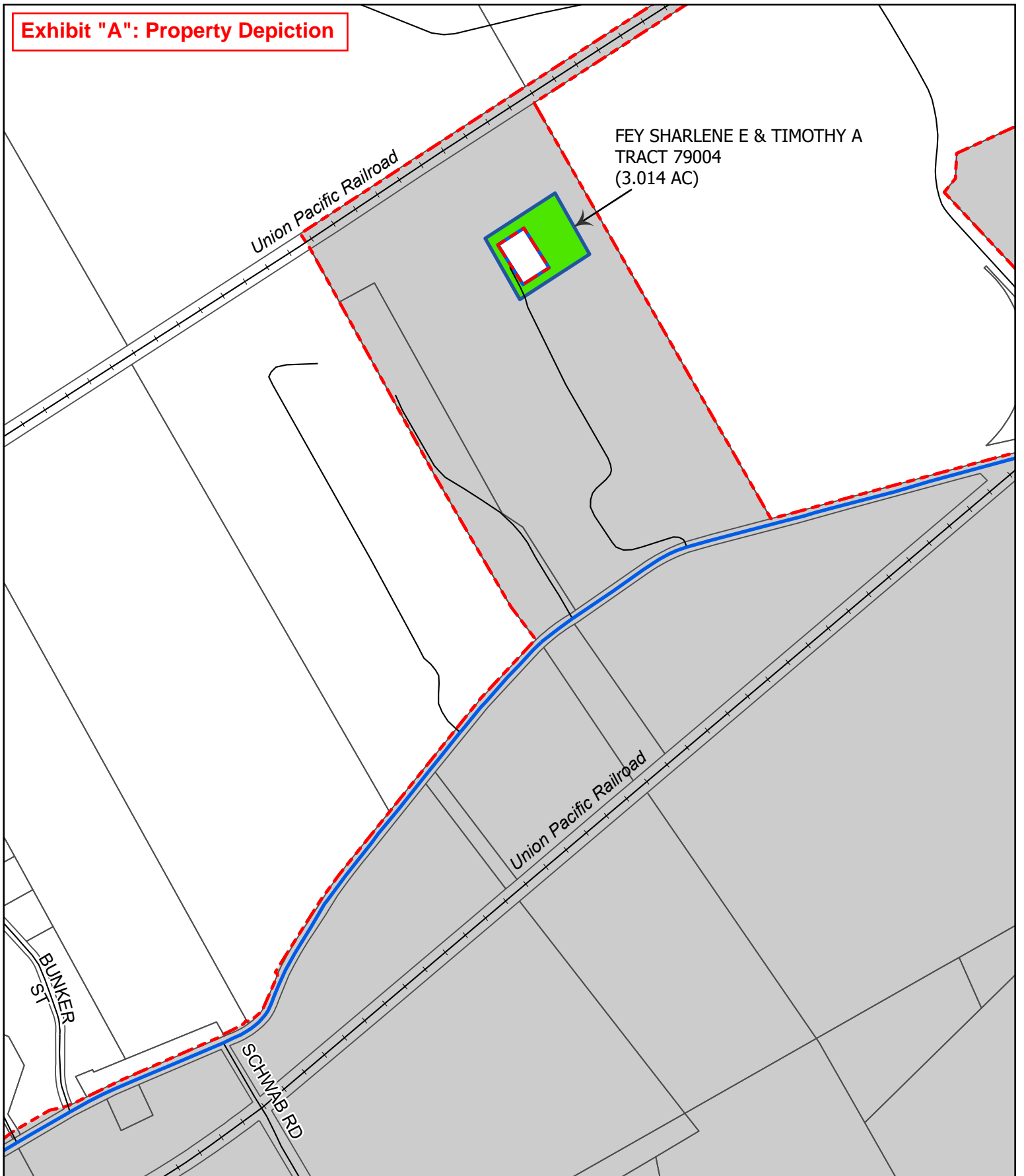


Exhibit “B”: Service Plan

**EXHIBIT C
SERVICE PLAN
CITY OF Schertz, TEXAS**

**SERVICE PLAN FOR ANNEXATION OF
Comal County, Property Id: 79004**

Upon annexation of the area identified above and as identified on Exhibit A, the City of Schertz will provide City services utilizing methods by which it extends services to any other equivalent area of the City.

SERVICES PROVIDED BY THE EFFECTIVE DATE OF ANNEXATION

1. Police Protection

The City of Schertz, Texas and its Police Department will provide police protection to newly annexed areas at the same or similar level of service now being provided to other areas of the City with like topography, land use and population density as those found within the newly annexed areas. The Police Department will have the responsibility to respond to all dispatched calls for service or assistance within the newly annexed areas.

2. Fire Protection and Emergency Medical Services

The City of Schertz, Texas will provide fire protection to newly annexed areas at the same or similar level of service now being provided to other areas of the City, with like topography, land use and population density as those found within the newly annexed areas.

The City of Schertz, Texas will provide EMS services to newly annexed areas at the same or similar level of service now being provided to other areas of the City, with like topography, land use and population density as those found within the newly annexed areas.

3. Maintenance of Water and Wastewater Facilities

All water and wastewater facilities owned or maintained by the City of Schertz at the time of the proposed annexation shall continue to be maintained by the City of Schertz. All water and wastewater facilities which may be acquired subsequent to the annexation of the proposed areas shall be maintained by the City of Schertz to the extent of its ownership. The now existing water and wastewater mains at existing locations shall be available for the point of use extension based upon the City of Schertz standard extension policy now existing or as may be amended. Existing On-site sewerage systems may be maintained in accordance with the County's regulations.

4. Solid Waste Collection

Solid waste collection will be provided to citizens in the newly annexed areas at the same or similar level of service now being provided to other areas of the City with like topography, land use and density as those found within the newly annexed areas. The City may negotiate with annexed areas to allow continued services with an existing solid waste management provider. After the second anniversary of the annexation date, the City will impose fees and provide the service.

If areas with private roads and/or gates are arranged so that garbage may be collected without creating a safety hazard, the City, at its discretion, may collect the garbage provided proper indemnification is received from the community association or individual property owners. The City will then impose fees and provide the service. Garbage collection locations shall be subject to the approval of the Sanitation Manager. In the event the City does not collect garbage within the areas with private roads and/or gates, residents of these areas will not be billed for service after the two-year date.

5. Maintenance of Roads and Streets

Any and all public roads, streets or alleyways shall be maintained to the same degree and extent that other public roads, streets, and alleyways are maintained in areas of the City with like topography, land use and density as those found within the newly annexed areas. Private roads will remain under the ownership of the homeowners association and as such maintained by the association.

6. **Maintenance of Parks, Playgrounds, and Swimming Pools**

The City of Schertz, Texas is not aware of the existence of any publicly owned parks, playgrounds or swimming pools now located in the proposed areas of annexation. In the event any such parks, playgrounds, or swimming pools do exist and are public facilities, the City will maintain such areas and facilities to the extent and degree and to the same or similar level of service now being provided to other such areas and facilities within the corporate limits of the City with like topography, land use and density as those found within the newly annexed areas. Private facilities will remain under the ownership of the homeowners association and as such maintained by the association.

7. **Maintenance of any Publicly owned Facility, Building or Municipal Service**

The City of Schertz, Texas is not aware of the existence of any publicly owned facility, building, or other municipal service now located in the proposed areas of annexation. In the event any publicly owned facility, building, or other municipal service does exist and are public facilities, the City will maintain such areas and facilities to the extent and degree and to the same or similar level of service now being provided to other such areas and facilities within the corporate limits of the City with like topography, land use and density as those found within the newly annexed areas.

8. **Other Services**

The City of Schertz, Texas finds and determines that such services as planning, code enforcement, animal control, library, parks and recreation, court and general administration will be made available after the effective date of annexation at the same or similar level of service now being provided to other areas of the City with similar topography, land use and density as those found within the newly annexed areas.

CONSTRUCTION OF ANY CAPITAL IMPROVEMENTS TO BE COMPLETED WITHIN 2 ½ YEARS

1. **Police and Fire Protection and Solid Waste Collection**

The City of Schertz, Texas, finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation of the particular annexed areas for the purpose of providing police protection, fire protection, emergency medical services or solid waste collection. The City finds and determines that it has at the present time adequate facilities and other resources to provide the same type, kind and level of service and protection which is presently being administered to other areas already incorporated in the City of Schertz, Texas with like topography, land use and population density as those found within the newly annexed areas.

2. **Water and Wastewater Facilities**

For the next 2 ½ years, the City of Schertz, Texas finds and determines that there is water and wastewater services available to the annexed areas pursuant to the City of Schertz extension policies.

3. **Roads and Streets**

The City of Schertz, Texas, finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation of the particular annexed areas.

4. **Maintenance of Parks, Playgrounds, and Swimming Pools and Any Other Publicly Owned Facility, Building, or Service**

The City of Schertz, Texas, finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation of the particular annexed areas for the purpose of parks maintenance, playgrounds, swimming pools and other publicly owned facility, building or service.

SPECIFIC FINDINGS

The City of Schertz, Texas, finds and determines that this proposed service plan will not provide any fewer services and will not provide a lower level of service in the areas being considered for annexation that were in existence in the proposed areas at the time immediately preceding the annexation process. Given the proposed annexation areas' topography, land utilization and population density, the service levels to be provided in the newly annexed areas will be equivalent to those provided to other areas of the City with similar characteristics.

TERMS

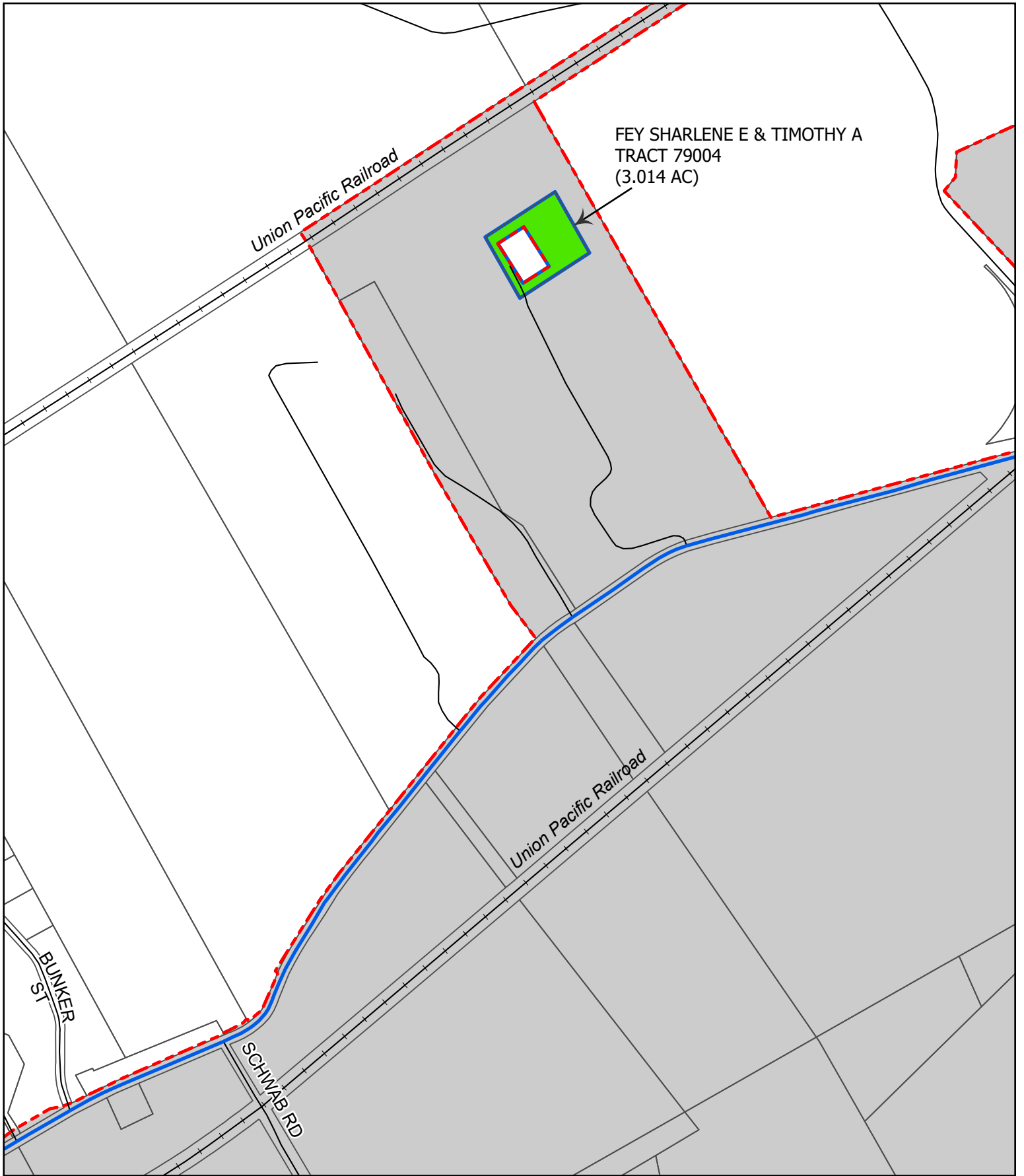
This plan shall be valid for a term of ten (10) years. Renewal of the Service Plan is at the discretion of the City of Schertz.

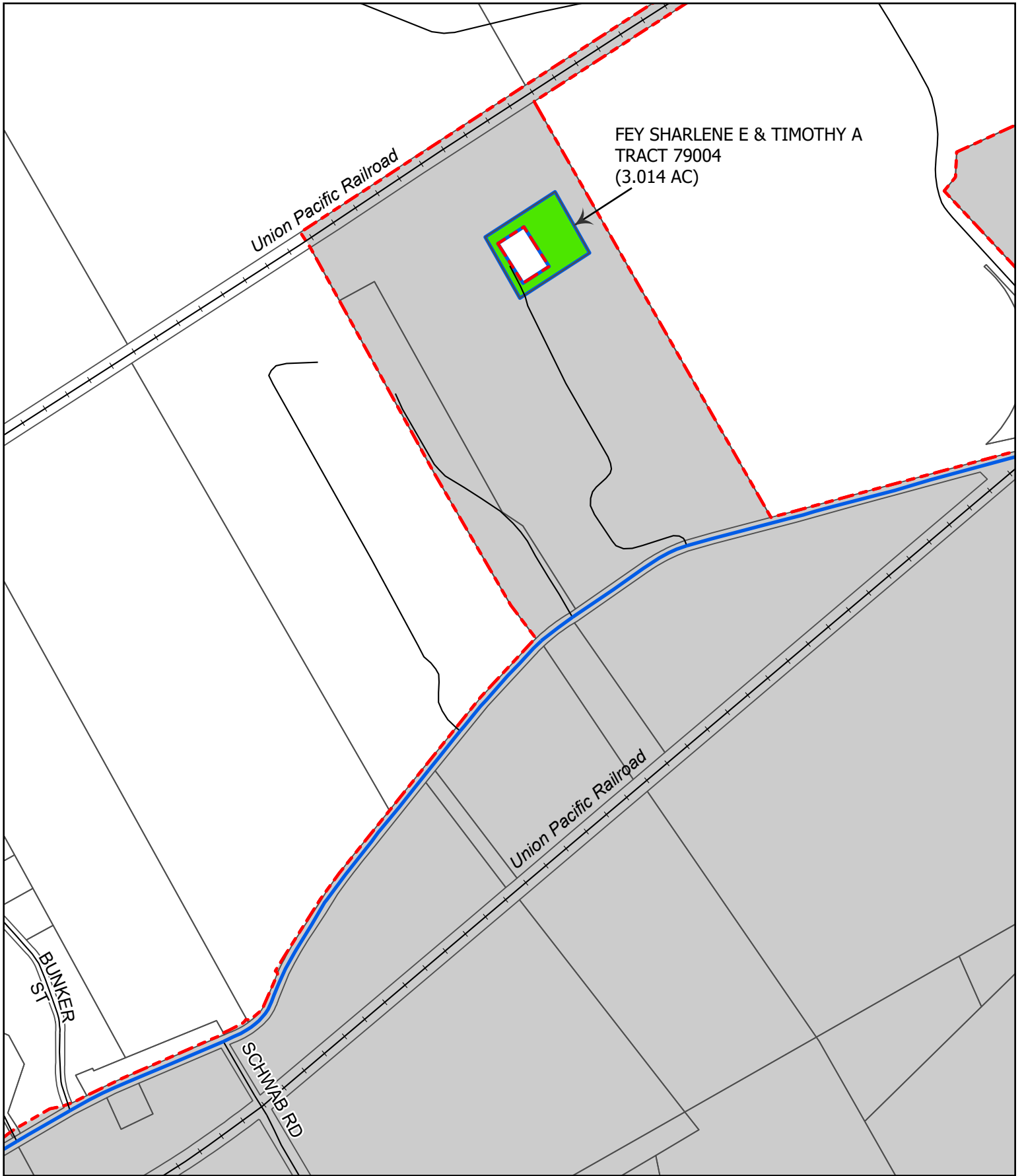
LEVEL OF SERVICE

Nothing in this plan shall require the City to provide a uniform level of full municipal services to each area of the City, including the annexed areas, if different characteristics of topography, land use, and population density are considered a sufficient basis for providing different levels of service.

AMENDMENTS

The plan shall not be amended unless public hearings are held in accordance with Chapter 43 of the Texas Local Government Code.





Ordinance 24-A-158

Approximately 3.014-acre Annexation

A portion of Comal County Property ID: 79004

Emily Delgado | Planning Manager

Background

- In July of 2024 the City of Schertz City Council approved ordinances to annex over 3,107 acres into the City of Schertz based on expiring Delayed Annexation Development Agreements. As part of that process, Comal County Property Identification numbers 79004, 79006, and 79009 owned by Timothy A. Fey and Sharlene E. Fey were scheduled to be annexed and zoned.
- However, as part of that annexation effort, City Council approved Resolution 24-R-81 which authorized the approval of a Development Agreement with Timothy A. Fey and Sharlene E. Fey.
- The Fey's own approximately 100.535 acres of property, of which approximately 1 acre is utilized as their homestead and the remainder is used for agricultural purposes.

Background

- As part of the agreement, the property owner authorized the annexation of the agricultural land, while the residential land was to remain in the ETJ.
- Based on the agreement's terms, on July 16, 2024, in addition to approving resolution 24-R-81, City Council also approved Ordinance 24-A-49 and 24-A-50, which annexed Comal County Property IDs 79006, and 79009, or the agricultural tracts.

Background

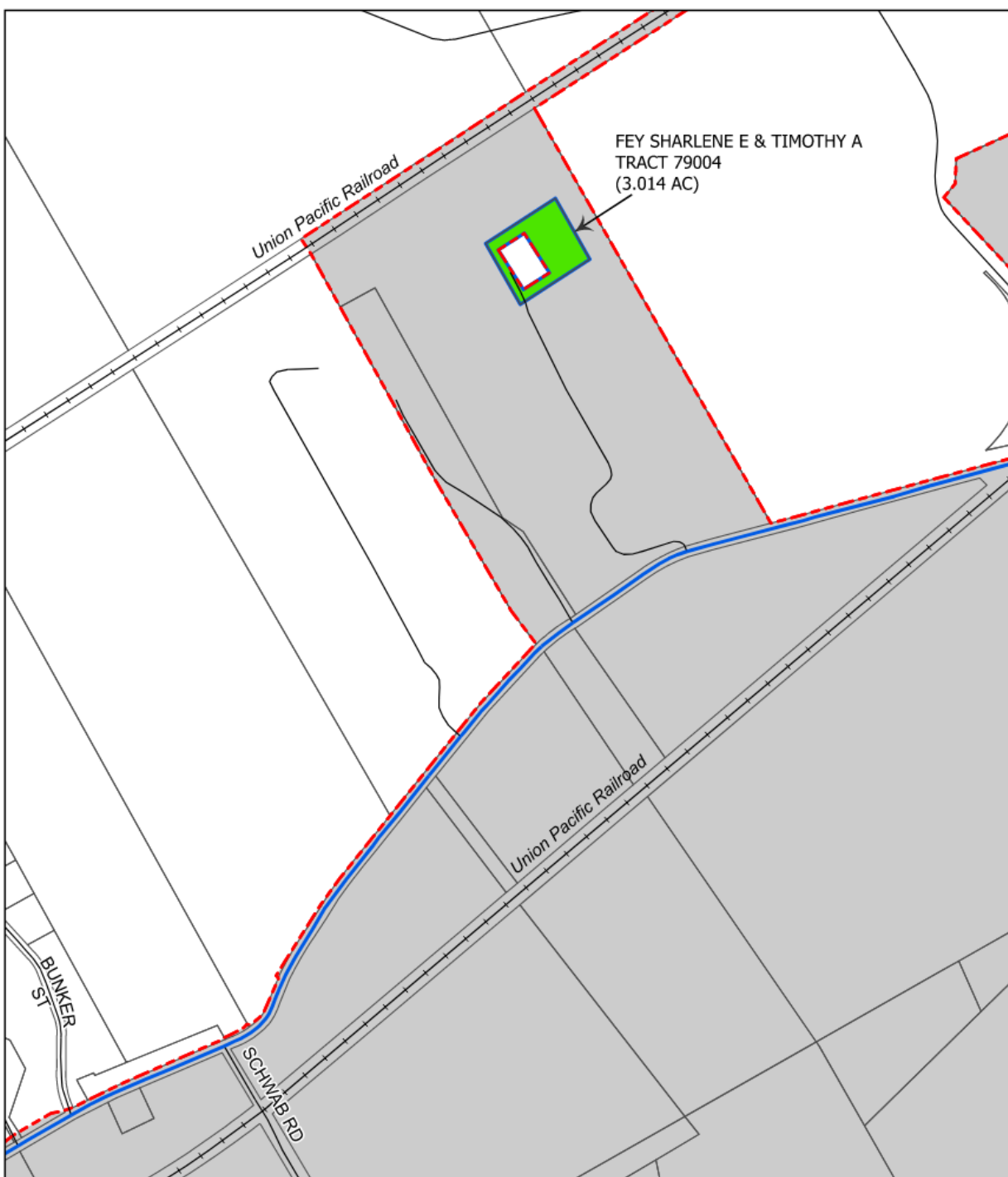
- However, Comal County Property Identification Number 79004 is only partially utilized for residential. Per the agreement, only 1-acre of the approximately 4.0-acre tract is utilized for residential, while the remaining 3.014-acres is used for agricultural purposes.
- Based on the conditions of the agreement, due to the 3.014-acres not being used for residential purposes, the City is proceeding forward with annexation and zoning of the agricultural portion of Comal County Property ID 79004.
- Resolution 24-R-131 was the first step in the annexation process for the approximately 3.014 acres, a portion of Comal County Property ID 79004. City Council approved Resolution 24-R-131 on October 15, 2024, which accepted the petition for voluntary annexation. The adoption of resolution 24-R-131 did not annex the subject property but allowed City Council to annex the property by ordinance in the future.

Background

- Ordinance 24-A-158 is the annexation ordinance that would officially annex the approximately 3.014-acres which will be accompanied by a service agreement to meet the requirements of UDC Section 21.4.8 and LGC § 43.0672.
- The zoning application to accompany the annexation was heard by the Planning and Zoning Commission at the November 6, 2024 meeting and is also scheduled for a public hearing at the December 3, 2024 City Council meeting, specifically Ordinance 24-S-159.



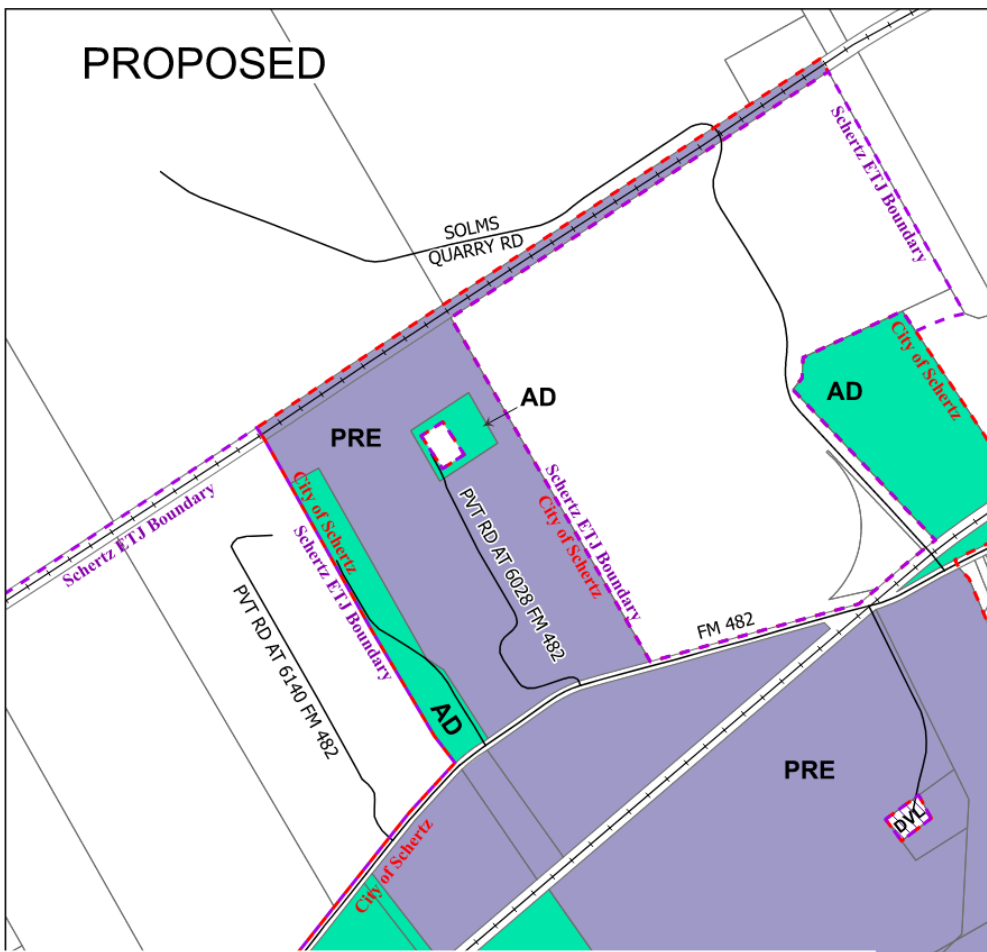
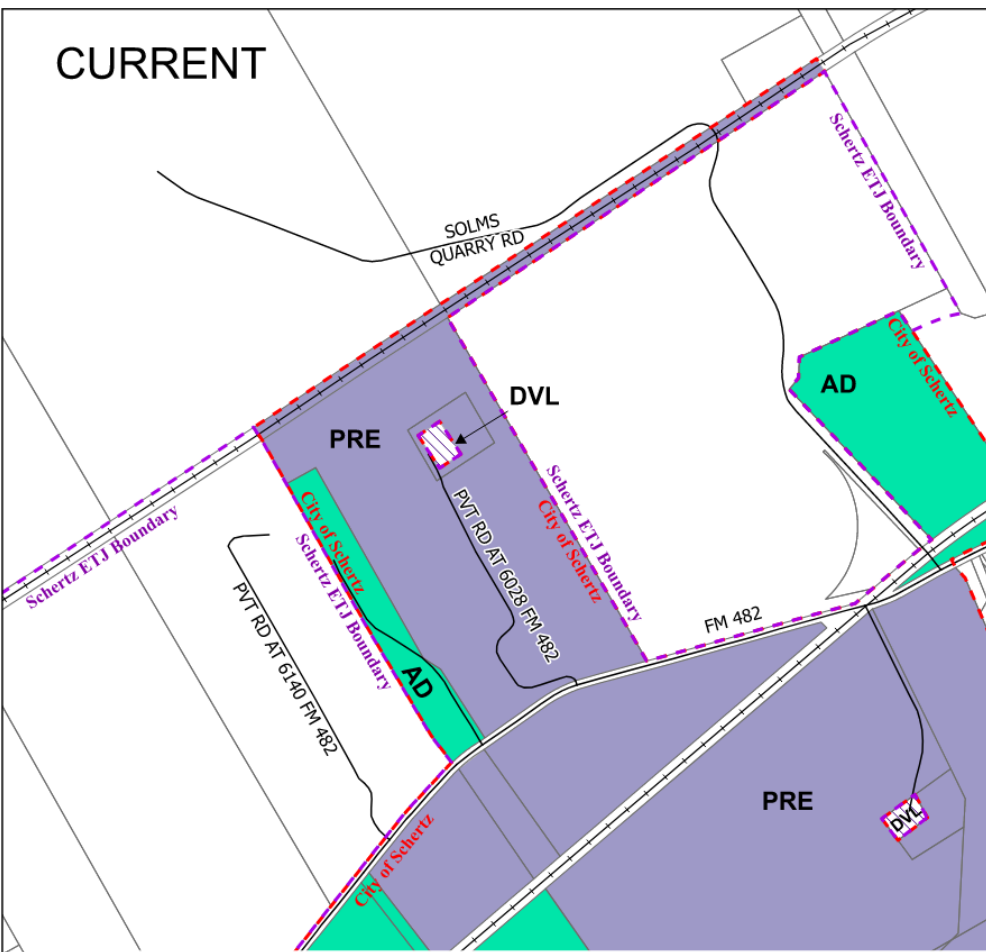
- Comal County Property ID 79004
- 4.014 acres
 - 3.014 acres= Agricultural
 - 1 acre = Residential
- Utilized for agricultural purposes



- A public hearing notice was published on November 20, 2024, in the "San Antonio Express" for Ordinance 24-A-158.
- A public hearing notice was mailed to Comal ISD on November 20, 2024.
- Additionally, a public hearing notice was posted on the City of Schertz website
- Under Texas Local Government Code Section 43.057, Staff finds that surrounding any area, but not including such area within the City limits through this annexation, is in the public's interest.

CURRENT

PROPOSED



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

- The subject property is also going through the zoning process, Ordinance 24-S-159 and is proposed to be zoned Agricultural District (AD).

Proposed Zoning Change

FEY TRACT (3.014 AC) A-484 SUR- 99 F RODRIGUEZ, ACRES 4.014



Last Update: November 7, 2024
City of Schertz, GIS Department, gis@schertz.com (210) 619-1180
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

Recommendation

- Staff recommends approval of Ordinance 24-A-158, accepting a petition for voluntary annexation for approximately 3.014-acres, more specifically a portion of Comal County Property Identification Number 79004, Comal County, Texas.

CITY COUNCIL MEMORANDUM

City Council Meeting: December 03, 2024

Department: City Secretary

Subject: Workshop on the National League of Cities Membership (A.Heyward)

BACKGROUND

National League of Cities website: <https://www.nlc.org/>

CITY COUNCIL MEMORANDUM

City Council Meeting: December 03, 2024

Department: Library

Subject: FY24 Summary report of Library activities (S.Gonzalez/M.Uhlhorn)

BACKGROUND

This is a recap of the Library's activities and statistics for FY 24.

Attachments

FY24 Library Report



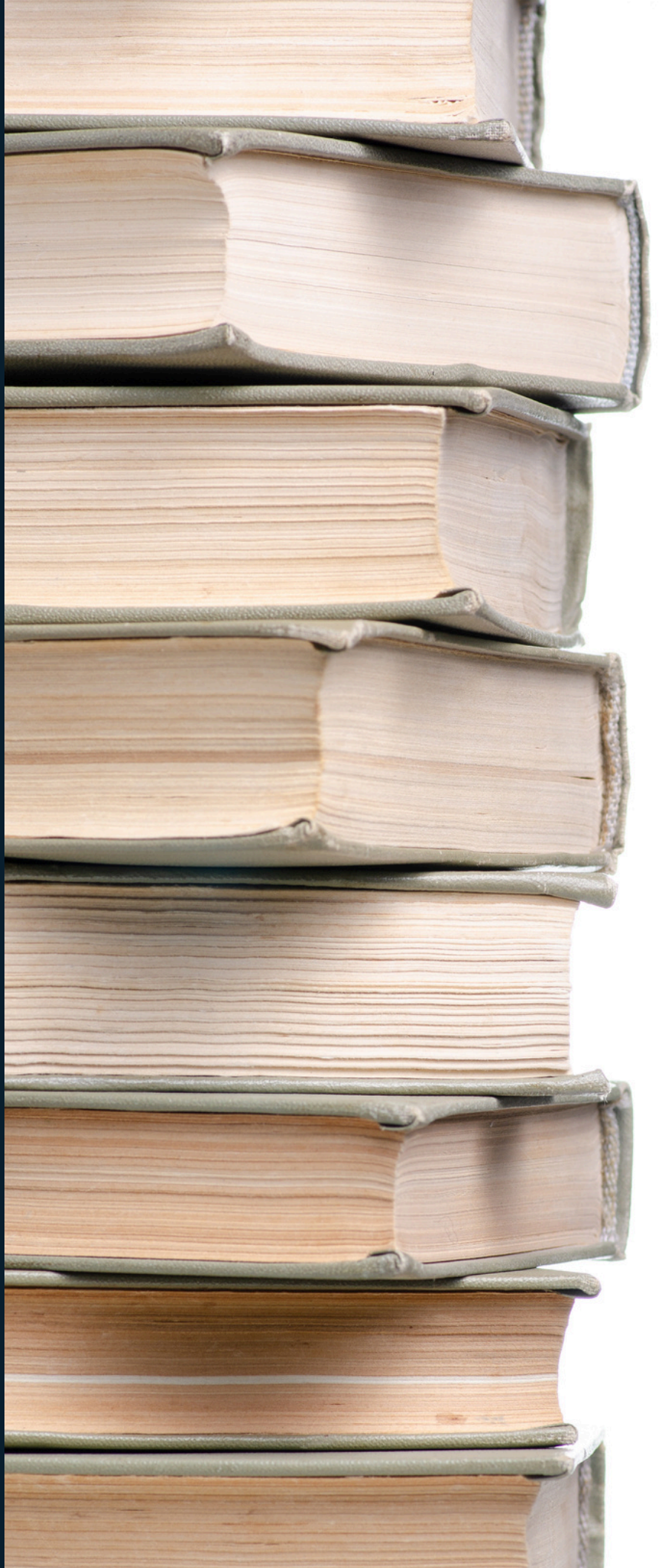
SCHERTZ PUBLIC LIBRARY

FY 2023-2024

THE YEAR IN
REVIEW...

AKA THE YEAR OF
WHEW!

Prepared by
Melissa Uhlhorn, Library Director



FY24 is in the books, so to speak, and to borrow from Eric Carle, we were a “Very Busy Library!”

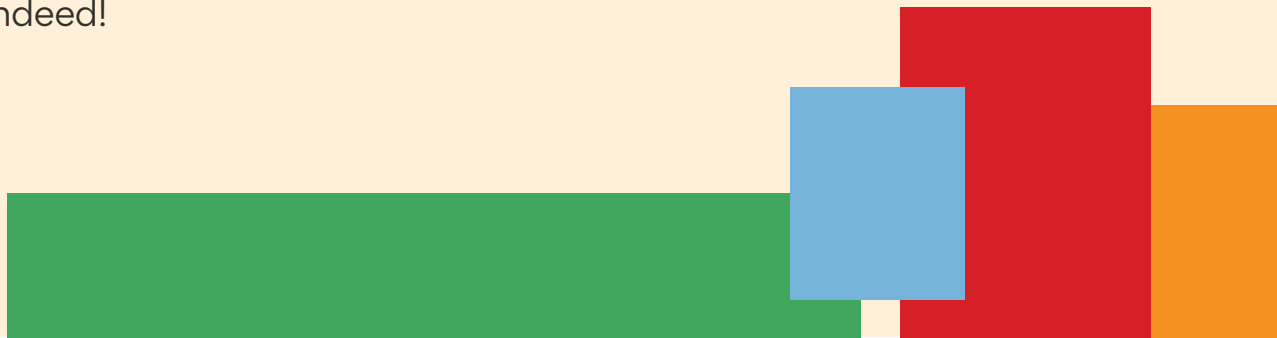
The COVID-19 pandemic strongly affected library services in terms of how many people visited the building, took part in programs, and checked out materials. Usage fell to unheard of lows in 2020 and 2021, but we have been steadily rebuilding, and FY24 saw a near total return to usage levels we were seeing in FY19.

Circulation and gate counts are still reduced, but approaching normal, while programs and program attendance actually surpassed our previous all-time high. New library card issuance is also at its highest level since FY19.

The addition of a new 20/hr Programming Specialist position was a game-changer in terms of growing our programming calendar and one of the drivers for the growth we saw in program attendance. Nichole Badraun joined the staff in late 2023 and began focusing on adding programming for teens and preteens, which was a gap area for us. The extra position allowed the Youth Services Librarian to focus on more weekend, family, and large scale programs, and freed up time for our other Programming Specialist to add a third preschool storytime to our calendar.

The Adult Services Librarian was also busy increasing the number of programs available to adults. Through several new community partnerships, the number of adult programs increased by more than 12%

The programming changes have been noticeable to our customers. We routinely receive wondering comments about *how many* programs and *how cool* they are. All-in-all, the Library was a busy place this past year. Whew, indeed!



Circulation

Total Circulation 410,917
Print/AV Check-outs 328,325
Digital Check-outs 54,469
Computer Sessions 28,123



SCHERTZ PUBLIC LIBRARY

The Year in Numbers

October 1, 2023 to
September 30, 2024

Technology

Webpage Views
72,440



WiFi Sessions
421,819

Collection

Titles
156,770

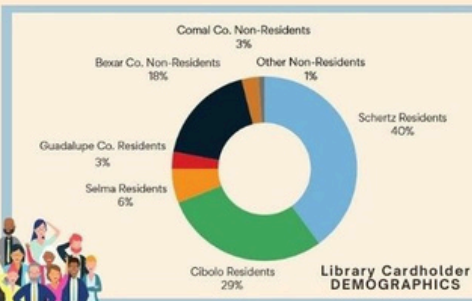
Items
170,265



Users

Visitor Count
223,391

Total Patrons
30,788



New Cards
4,765

Renewed Cards
3,094

Building Usage

Meeting Room Usage
788

Food Vendors
92

Hours Open
3,064



Programming

Youth Programs
516

Adult Programs
231

Youth Attendance
17,462

Adult Attendance
2,224

Total Programs 747

Total Attendance 19,686



Volunteers

Number of Volunteers
81



Volunteer Hours
3,477



“Smile, it’s Library U Day!”

The Library closes to the public 3-4 days per year for all-staff training known Library University. Library U covers a broad range of topics from the foundational tenants of library science, to daily procedures & policy, to staff development & team-building exercises.

Library Staffing

- 10 Fulltime Staff Members
- 11 Part-time Staff Members
- 1 Substitute Staff Member
- 81 Volunteers

Library Leadership

- Melissa Uhlhorn, Director
- April Toman, Senior Librarian-Youth Services
- Lizzi Bertoia, Senior Librarian-Adult Services
- Stephanie Barbosa, Senior Librarian-Virtual Services

Library Advisory Board

The Library Advisory Board is tasked with providing citizen input on Library operations & services.

Members

Patti Paulson, Chair
Dawn Figueras, Vice Chair
Christine Bryan, Secretary
Laura Wilson, Treasurer
Beverly Clarke, Bookstore
Manager
Joanne Ward

Ruth Tienor
Patti Dilworth
Letticia Sever
Margaret Riley
Lee Murphey
Amy Bearce
Linda Duvall, Alternate



The **Read Before Book Store** sells donated materials and is a wholly volunteer-run operation overseen by the Advisory Board. Thirty-one volunteers working more than 2,500 hours raised \$20,548 in FY24. All proceeds go towards library programs and materials.

In FY24, proceeds were used to fund the supplies and events related to the Library's summer and winter reading programs and the Extreme Book Nerd annual reading challenge. The Board also funded a Play Touch Table in the children's area.

Bookstore Manager, Beverly Clarke, looks over bookstore procedures.

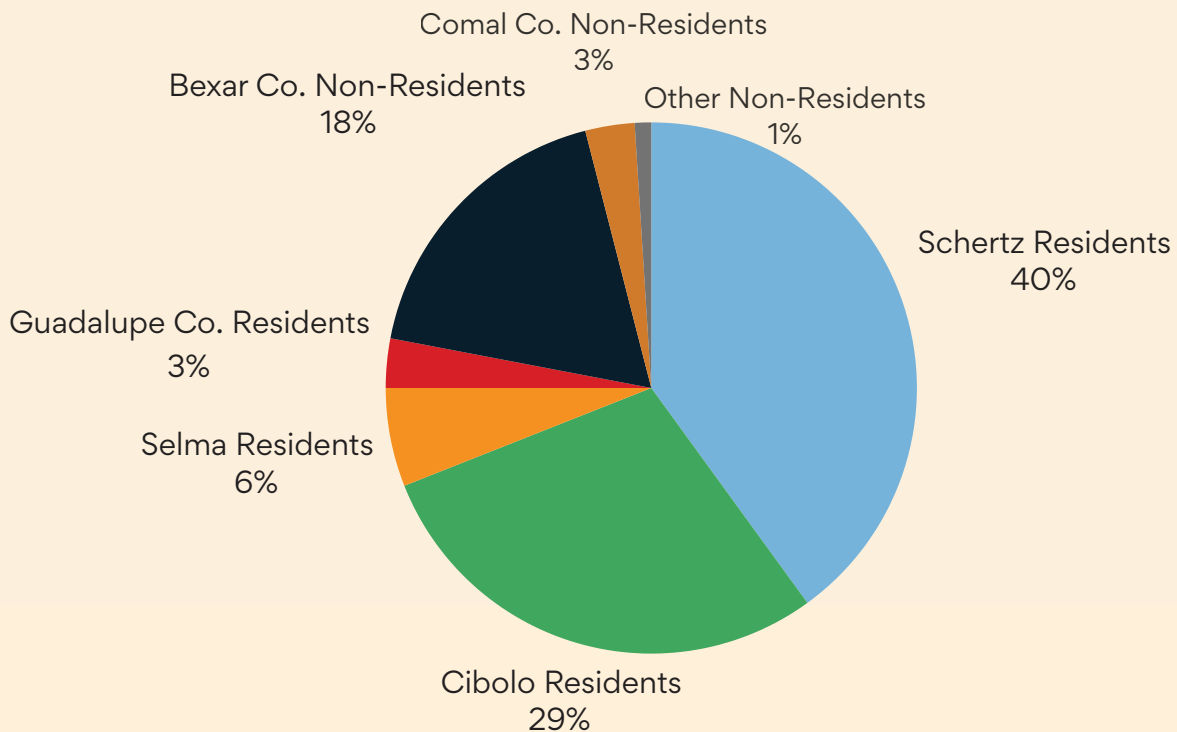
Library Users

The Library's service population is currently 126,000+ people and encompasses the Cities of Schertz, Cibolo & Selma, and all of Guadalupe County.

Cibolo, Selma, and the County all contribute to the Library through interlocal agreements in exchange for the provision of library service to their residents. The Library also allows Texas residents to apply for a card, free-of-charge. Library interlocal agreements generated \$292,640 in FY24.

Cardholders numbered 30,788 at the end of FY24, a 7% increase over the previous fiscal year.

Library Cardholder Groups



What Drives Us



Life-long Education

Supporting life-long learning and encouraging curiosity for all ages is foundational to what we do. We develop and maintain a broad assortment of library materials, programs and electronic resources for anyone who wants to pursue knowledge about topics of interest, whether driven by formal educational requirements or the sheer delight of learning something new.

Space in which to work is also important to the idea of life-long learning. The Library provides meeting and study spaces for individuals and community groups, as well as indoor and outdoor spaces to for people socialize or simply sit.



Programming

Programs are one of the tools we use to provide learning opportunities for all ages. For infants, children and teens, language- and science-rich programs encourage the love of reading and discovery, teach a variety of literacy skills, allow for motor skills practice, and provide a setting for socializing for both children and caregivers.

For adults, programs in high-interest areas such as technology, job skills, health and fitness, finances, crafts, literature, and language, can enrich lives, enhance skills, provide opportunities for interacting with others, and build a sense of community.

Outreach programming takes library staff out of the building and into the community, providing services to underserved residents through special programs and events.



Technology

Reflective of our demographics, Internet and Internet-connected devices are ubiquitous in our community, but that doesn't mean everyone has access to the technology now required for daily living. Providing public access to technology is a way to eliminate the digital divide between those who can afford technology and those who can't but still need it to apply for jobs, conduct business, take tests, learn new skills, or even remain independent, as is the case with many seniors in our community.

Along with providing access to technology such as computers, Internet, wi-fi, mobile hotspots, printers, and software comes the need to teach others about it. Library staff trouble-shoot device issues, answer questions, teach classes, and provide one-on-one appointments with patrons to help navigate the tech landscape.



Materials

One of the main ways to support life-long learning, literacy, recreation, and easy access to knowledge is to provide a wide variety of library materials in various formats for users of all ages. The library provides books, magazines, newspapers, eAudiobooks, eBooks, online services, experience kits, puzzles, board games, read-alongs, genealogy materials, and large print materials.

The Library's collection is ever-changing. New collections are developed as formats and interests change, and staff is engaged in a constant workflow of researching, ordering, processing, repairing, moving, and withdrawing materials.

FY24 Achievements:

- TMLDA Achievement of Excellence in Libraries Award (our 6th one!)
- TML Excellence Award, City Spirit Category for our Adopt-A-Grandparent Program
- One of the 3 top City Departments in Schertz Customer Satisfaction Survey
- Annual Accreditation from Texas State Library & Archives Commission

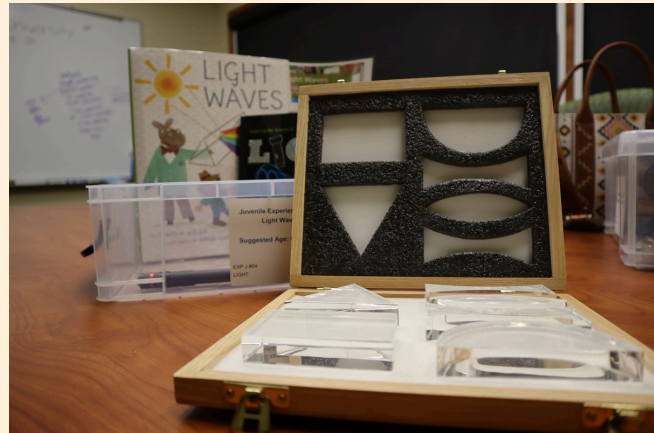


FY 24 New or Expanded Programs, Services & Projects:

- Experience Kit Collection
- Phase 2 of Mobile Hotspot Collection
- Teen Tuesday Program
- Inbetween Program
- Saturday Family Storytime
- Paws to Read Program
- Additional Thursday Preschool Program
- S.P.A.R.K. Family Program with Boysville
- Jugando y Aprendiendo en la Biblioteca Toddler Program
- Legal Advice Clinic with Central Texas Dispute Resolution Center
- Lunch & Learns with Guadalupe Co. Master Gardeners
- Seeds of the Seasons Packets
- Estate Planning Seminars
- Medicare Information Seminars
- Photo Organization Program
- Additional Blood Drives with South Texas Blood & Tissue
- Kid Librarian Program
- Teen Dungeons & Dragons Program
- Transparent Languages Online Language Service
- Expanded Passive Program Activities (engagement activities for customers during Library visits)
- Webpage Refresh
- Tech Appointments
- Migration to New Statewide InterLibrary Loan System
- Migration to New Wireless Printing System

Special Events:

- Harry Potter & Alice in Wonderland Escape Rooms (more than 400 people went through these)
- Glow Party with Parks & Rec
- Austin Reptile Show
- Texas State Aquarium to You Program
- Chemistry Roadshow
- Improv for Ages 8-18
- Winter Maker Camp during Christmas Break
- Astonishing Mr. Pitts Magic Show
- Young Authors Writing Contest
- Trunk-or-Treat at Legacy at Forest Ridge
- Eclipse Viewing
- Library Mini Golf



Above: Lego programming

Top Right: Example of an experience kit

Bottom Right: Adopt-A-Grandparent gift delivery

The Library routinely partners with organizations, City Departments and individuals in the community to provide programs and services. In some cases, the Library provides programs and services to the organization, others provide programming for us, or we present together. FY24 was filled with relationships, both old and new.

- Schertz Cibolo Universal City ISD
- YMCA
- Schertz Senior Center
- Schertz Parks & Rec
- Schertz Neighborhood Services
- Schertz PD
- Schertz Planning & Development
- Boysville/Sonya Mollicone
- South Texas Blood & Tissue
- Legacy at Forest Ridge
- Samantha Demory/Demory Law Office
- Guadalupe Co. Master Gardeners
- Texas Parks & Wildlife/Jessica Bergner
- National Alliance on Mental Illness
- Central Texas Dispute Resolution Center
- Communities in Schools
- Michael Brown
- Girl Scout Troop 5145
- Joey Menchey
- Mariana Pulido
- Darlene & Martin Dahlman
- Casey St. Clair
- Taylor Badraun
- Shelley Fluke
- Rose Snow
- Angela Morris
- Andrene Bonner
- Wellness by Gina
- Tokikio Parker
- Texas Medicare Solutions/Michael Salazar
- Cricket Champion
- Ron Stevens
- Calvin Wheeler

Fiscal Year Comparison 2019-2024

