



MEETING AGENDA
Planning & Zoning Commission
REGULAR SESSION PLANNING & ZONING COMMISSION
June 5, 2024

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
WEDNESDAY, JUNE 5, 2024 at 6:00 p.m.

The Planning and Zoning Commission will hold the regularly scheduled meeting at 6:00p.m., Wednesday, June 5, 2024, at the City Council Chambers. In lieu of attending the meeting in person, residents will have the opportunity to watch the meeting via live stream on the City's YouTube Channel.

- 1. CALL TO ORDER**
- 2. SEAT ALTERNATE TO ACT IF REQUIRED**

3. HEARING OF RESIDENTS

This time is set aside for any person who wishes to address the Planning and Zoning Commission. Each person should fill out the Speaker's register prior to the meeting. Presentations should be limited to no more than three (3) minutes. Discussion by the Commission 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.

4. CONSENT AGENDA:

- A. Minutes for the May 8, 2024, Regular Meeting.**
- B. Minutes for the May 15, 2024, Special Meeting.**

5. PUBLIC HEARING:

The Planning and Zoning Commission will hold a public hearing related to zone change requests, specific use permit requests, and Unified Development Code Amendments within this agenda. The public hearing will be opened to receive a report from staff, the applicant, the adjoining property owners affected by the applicant's request, and any other interested persons. Upon completion, the public hearing will be closed. The Commission will discuss and consider the application, and may request additional information from staff or the applicant, if required. After deliberation, the

Commission is asked to consider and act upon the following requests and make a recommendation to the City Council if necessary.

- A. **PLZC20240095** - Hold a public hearing and make a recommendation on a request to rezone approximately 1 acre of land from Pre-Development District (PRE) to Single-Family Residential/ Agricultural District (R-A), known as Bexar County Property Identification Number 308497, more specifically known as 11639 Voges Pass, City of Schertz, Bexar County, Texas.
 - B. **PLZC20240098** - Hold a public hearing and make a recommendation on a request to rezone approximately 3.6 acres of land from Pre-Development District (PRE) to Single-Family Residential / Agricultural District (R-A), known as Comal County Property Identification Number 78940, more specifically known as 6691 FM 482, New Braunfels, Comal County, Texas.
 - C. **PLSPU20240012** - Hold a public hearing and make a recommendation on a request for a Specific Use Permit to allow a convenience store with gas pumps on approximately 4.33 acres of land, located at the intersection of Maske Road & E FM 1518, more specifically known as Guadalupe County Property Identification Number 64548 City of Schertz, Guadalupe County, Texas.
6. **ITEMS FOR INDIVIDUAL CONSIDERATION:**
- A. **PLPP20240008 Waiver** - Consider and act upon a request for a waiver in relation to on-site sewer facilities for the preliminary plat for the Schertz Storage Center Subdivision, approximately 7.8 acres of land generally located 2,800 feet to the east of the IH-35 and FM 2252 intersection, also known as Comal County Parcel ID 73256, City of Schertz, Comal County, Texas.
 - B. **PLPP20240008** - Consider and act upon a request for approval of a preliminary plat for the Schertz Storage Center Subdivision, approximately 7.8 acres of land generally located 2,800 feet to the east of the IH-35 and FM 2252 intersection, also known as Comal County Parcel ID 73256, City of Schertz, Comal County, Texas.
7. **REQUESTS AND ANNOUNCEMENTS:**
- A. Requests by Commissioners to place items on a future Planning and Zoning Agenda
 - B. Announcements by Commissioners
 - City and community events attended and to be attended
 - Continuing education events attended and to be attended
 - C. Announcements by City Staff.
 - City and community events attended and to be attended.
8. **INFORMATION AVAILABLE IN THE PLANNING AND ZONING COMMISSION PACKETS- NO DISCUSSION TO OCCUR**
- A. Current Projects and City Council Status Update
9. **ADJOURNMENT OF THE REGULAR MEETING**

CERTIFICATION

I, Samuel Haas, Senior Planner, of the City of Schertz, Texas, do hereby certify that the above agenda was posted on the official bulletin boards on this the 30th day of May, 2024 at 2:00 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.

Samuel Haas

Samuel Haas, Senior Planner

I certify that the attached notice and agenda of items to be considered by the Schertz Planning & Zoning Commission was removed from the official bulletin board on _____ day of _____, 2024. _____ 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 619-1030 at least 24 hours in advance of meeting.

The Planning and Zoning Commission for the City of Schertz reserves the right to adjourn into executive 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.

Executive Sessions Authorized: This agenda has been reviewed and approved by the City's legal counsel and presence of any subject in any Executive 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.

PLANNING AND ZONING COMMISSION MEETING: 06/05/2024
Agenda Item 4 A

TO: Planning and Zoning Commission
PREPARED BY: Tiffany Danhof, Administrative Assistant
SUBJECT: Minutes for the May 8, 2024, Regular Meeting.

Attachments

Draft Minutes for the May 8, 2024 Regular Meeting

PLANNING AND ZONING COMMISSION MEETING: 06/05/2024
Agenda Item 4 B

TO: Planning and Zoning Commission
PREPARED BY: Tiffany Danhof, Administrative Assistant
SUBJECT: Minutes for the May 15, 2024, Special Meeting.

Attachments

Draft Minutes for the May 15, 2024 Special Meeting

PLANNING AND ZONING COMMISSION MEETING: 06/05/2024
Agenda Item 5 A

TO: Planning and Zoning Commission

PREPARED BY: Daisy Marquez, Planner

SUBJECT: **PLZC20240095** - Hold a public hearing and make a recommendation on a request to rezone approximately 1 acre of land from Pre-Development District (PRE) to Single-Family Residential/ Agricultural District (R-A), known as Bexar County Property Identification Number 308497, more specifically known as 11639 Voges Pass, City of Schertz, Bexar County, Texas.

BACKGROUND

The applicant is requesting to rezone approximately 1 acre of land from Pre-Development District (PRE) to Single-Family Residential/ Agricultural District (R-A). The subject property is currently undeveloped and not platted.

On May 20, 2024, seven (7) 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 will be published in the "San Antonio Express" prior to the City Council Meeting. Additionally, one (1) sign was placed on the property.

Subject Property:

	Zoning	Land Use
Existing	Pre-Development (PRE)	undeveloped
Proposed	Single-Family Residential/ Agricultural District (R-A)	undeveloped

Adjacent Properties:

	Zoning	Land Use
North	Pre-Development (PRE)	Agricultural
South	Extraterritorial Jurisdiction (ETJ)	Agricultural
East	Pre-Development (PRE)	Single-Family Home and Agricultural
West	Single-Family Residential/ Agricultural District (R-A)	Single-Family Home and Agricultural

GOAL

The proposed zone change is for approximately 1 acre of land to Single-Family Residential/ Agricultural District (R-A).

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 changes, staff uses the criteria listed in UDC Section 21.5.4.D. The criteria are listed below.

1. Whether the proposed zoning change or zoning map amendment implements the policies of the

adopted Comprehensive Land Plan, including the land use classification of the property on the Future Land Use Map.

Yes, the proposed Single-Family Residential/ Agricultural District (R-A) does implement the policies of the Comprehensive Land Plan. The subject property is designated as Complete Neighborhood in the Comprehensive Land Use Plan - Future Land Use Map. The Complete Neighborhood Land Use Designation is identified as areas with a mixture of housing options and supporting land uses. Additionally, the Comprehensive Land Use Plan stipulates when considering appropriateness of housing density, factors such as roadway classification, and conflicts among land uses and buildings shall be considered.

The subject property is currently undeveloped, unplatted, has access from a private road, and is surrounded by existing agricultural uses and agricultural homes. Due to the location of the subject property, the current zoning designations of surrounding properties, and access, the proposed Single-Family Residential/ Agricultural District (R-A) at the subject property does implement the policies of the Comprehensive Land Plan and the Complete Neighborhood Land Use Designation of the Future Land Use Map.

2. Whether the proposed zoning change or zoning map amendment promotes the health, safety, or general welfare of the City and the safe, orderly, efficient and healthful development of the City;

As part of promoting health, safety, and welfare, the City should encourage development compatible with surrounding uses utilizing standards and transitional uses to alleviate negative impacts. The proposed Single-Family Residential/ Agricultural District (R-A) dimensional and development standards as stated in UDC Section 21.5.7.A of the Unified Development Code, are compatible with what is immediately in the surrounding area.

Table 21.5.7.A										
Dimensional Requirements for Residential Zoning Districts										
		Minimum Lot Size Dimensions			Minimum Yard Setbacks				Miscellaneous Lot Requirements	
Code	Zoning District	Area Sq.Ft.	Width Ft.	Depth Ft.	Front Ft.	Side Ft.	Rear Ft.	Minimum Off-Street Parking Spaces	Max Height Ft.	Max Impervious Coverage
R-A	Single-Family Residential/ Agricultural District	21,780	-	-	25	25	25	2	35	50%

3. Whether the uses permitted by the proposed change in zoning district classification and the standards applicable to such uses will be appropriate in the immediate area of the land to be reclassified.

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

A majority of the surrounding properties are zoned Pre-Development District (PRE) and are used for single family residential and agriculture.

4. Whether the proposed change is in accord with any existing or proposed plans for providing public

schools, streets, water supply, sanitary sewers or other public services and utilities to the area;

There is no existing development on the subject property. The applicant does not have any plans for development at this time.

A public hearing notice was mailed to Schertz-Cibolo-Universal City Independent School District to notify them of the proposed zone change. Included as attachments are the most recent Demographic Report 3Q23 for SCUCISD as well as the most recent 10-Year Campus Forecasting Presentation.

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

No, there have been no environmental or economic changes that warrant the requested zone change. The subject property has been designated as Pre-Development District (PRE) and was given this designation, like many other properties in the area and Southern Schertz, after its annexation.

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

No, there was no error in the original zoning of the subject property. The Pre-Development District (PRE) zoning designation is intended as a placeholder as per UDC Section 21.5.5.A.

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

This does not impact the Planning and Zoning Commission recommendation to City Council.

8. Whether other criteria are met, which, at the discretion of the the Planning and Zoning Commission and the City Council are deemed relevant and important in the consideration of the amendment.

Staff has ensured all UDC requirements have been met for the proposed zone change, and at this time have not received any special consideration from the Planning and Zoning Commission or the City Council.

RECOMMENDATION

The proposed zone change to Single-Family Residential District (R-A) is compatible with the Comprehensive Land Use Map - Future Land Use Map and is appropriate within the immediate area of the subject property, thus Staff recommends approval of PLZC20240095.

Attachments

Aerial Exhibit
Public Hearing Notice Map
Zoning Exhibit
Legal Metes and Bounds
Property Depiction
SCUCISD 10 Year Campus Forecasting
SCUCISD Demographic Report

PLANNING AND ZONING COMMISSION MEETING: 06/05/2024
Agenda Item 5 B

TO: Planning and Zoning Commission
PREPARED BY: Daisy Marquez, Planner
SUBJECT: **PLZC20240098** - Hold a public hearing and make a recommendation on a request to rezone approximately 3.6 acres of land from Pre-Development District (PRE) to Single-Family Residential / Agricultural District (R-A), known as Comal County Property Identification Number 78940, more specifically known as 6691 FM 482, New Braunfels, Comal County, Texas.

BACKGROUND

The property owners are requesting to rezone approximately 3.6 acres of land to Single-Family Residential/ Agricultural District (R-A). The subject property is currently not platted and contains a residence.

On May 20, 2024, seven (9) 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 will be published in the "San Antonio Express" before the City Council Meeting. Additionally, one (1) sign was placed on the subject property.

Subject Property:

	Zoning	Land Use
Existing	Pre-Development District (PRE)	Residence
Proposed	Single-Family Residential/ Agricultural District (R-A)	Residence

Adjacent Properties:

	Zoning	Land Use
North	Right-Of-Way; Public	FM 482
South	Union Pacific Railroad	Railroad Tracks
East	Pre-Development District (PRE)	Residence
West	Right-Of-Way; Public	Friesenhahn Ln

GOAL

The applicant is requesting to rezone approximately 3.6 acres from Pre-Development District (PRE) to Single-Family Residential / Agricultural District (R-A).

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 changes, staff uses the criteria listed in UDC Section 21.5.4.D. The criteria are listed below.

1. Whether the proposed zoning change or zoning map amendment implements the policies of the adopted Comprehensive Land Plan, including the land use classification of the property on the Future

Land Use Map.

The subject property is designated as Regional Corridor in the Comprehensive Land Plan - Future Land Use Map.

Regional Corridor is described as areas with commercial and entertainment along major thoroughfares with a development ratio of 15% Residential and 85% Non-Residential development.

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

2. Whether the proposed zoning change or zoning map amendment promotes the health, safety, or general welfare of the City and the safe, orderly, efficient and healthful development of the City;

As part of promoting health, safety, and welfare, the City should encourage development compatible with surrounding uses utilizing standards and transitional uses to alleviate negative impacts. The dimensional requirements for Single-Family Residential/ Agricultural District (R-A), as listed in Table 21.5.7.A of UDC Section 21.5.7, are compatible within the immediate area of the subject property. The subject property is approximately 3.6 acres and surpasses the minimum square footage required in the Single-Family Residential/ Agricultural District (R-A).

Table 21.5.7.A Dimensional Requirements Residential Zoning Districts										
		<i>Minimum Lot Size Requirements</i>			<i>Minimum Yard Setbacks</i>				<i>Miscellaneous Lot Requirements</i>	
Code	Zoning District	Area Sq.Ft.	Width Ft.	Depth Ft.	Front Ft.	Side Ft.	Rear Ft.	Minimum Off-Street Parking Spaces	Max Height	Max Impervious Coverage
R-A	Single-Family Residential/ Agricultural District	21,780	-	-	25	25	25	2	35	50%

The existing Pre-Development District (PRE) zoning, as per UDC Section 21.5.5, is only intended as a temporary designation for existing uses for newly annexed property, but no improvements, construction, or structures may be undertaken without obtaining a building permit. A building permit cannot be pulled without the proper zoning. The proposed zone change to Single-Family Residential/ Agricultural District (R-A), would allow the applicant to pull building permits to ensure safe and orderly development.

3. Whether the uses permitted by the proposed change in zoning district classification and the standards applicable to such uses will be appropriate in the immediate area of the land to be reclassified.

Yes, the uses permitted in Single-Family Residential/ Agricultural District (R-A) are appropriate in the immediate area of the land to be reclassified. The purpose and intent of the Single-Family Residential/

Agricultural District (R-A) is to provide areas in which agricultural land may be held in such use for as long as is practical and reasonable, with minimum half-acre lots, and where development may be premature due to lack of utilities, capacity or services, as per UDC Section 21.5.5.

4. Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers or other public services and utilities to the area;

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

A public hearing notice was mailed to Comal Independent School District to notify them of the proposed zone change.

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

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

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

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

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

This does not impact the Planning and Zoning Commission's recommendation to City Council.

8. Whether other criteria are met, which, at the discretion of the Planning and Zoning Commission and the City Council are deemed relevant and important in the consideration of the amendment.

Staff has ensured all UDC requirements have been met for the proposed zone change application and at this time have not received special considerations from the Planning and Zoning Commission or City Council.

RECOMMENDATION

The proposed zone change to Single-Family Residential/ Agricultural District (R-A) is appropriate within the immediate area, thus Staff recommends approval of PLZC20240098.

Attachments

Aerial Exhibit
Public Hearing Notice Map
Zoning Exhibit
Legal Metes and Bounds

PLANNING AND ZONING COMMISSION MEETING: 06/05/2024
Agenda Item 5 C

TO: Planning and Zoning Commission

PREPARED BY: Samuel Haas, Senior Planner

SUBJECT: **PLSPU20240012** - Hold a public hearing and make a recommendation on a request for a Specific Use Permit to allow a convenience store with gas pumps on approximately 4.33 acres of land, located at the intersection of Maske Road & E FM 1518, more specifically known as Guadalupe County Property Identification Number 64548 City of Schertz, Guadalupe County, Texas.

BACKGROUND

The applicant is requesting a Specific Use Permit to allow a convenience store with gas pumps on approximately 4.33 acres of land, located at the intersection of Maske Road & E FM 1518. The subject property is zoned General Business District (GB) and is currently undeveloped. The applicant is also proposing to build a drive-thru restaurant and spaces for retail on the site.

On May 24, 2024, eight (8) public hearing notices were mailed to the surrounding property owners within a 200-foot boundary of the subject property. At the time of this staff report, (0) responses in favor, (0) responses neutral, and (0) responses in opposition have been received.

A public hearing notice is going to be published in the San Antonio Express on June 12th for this Specific Use Permit to be heard by the City Council on July 2nd.

Subject Property:

	Zoning	Land Use
Existing	General Business District (GB)	Undeveloped
Proposed	General Business District (GB)	Convenience Store with Gas Pumps

Adjacent Properties:

	Zoning	Land Use
North	Right of Way	Maske Road
South	General Business District (GB)	Undeveloped
East	General Business District (GB)	Under-construction
West	Right of Way	FM 1518

GOAL

The proposed Specific Use Permit is to allow a convenience store with gas pumps on the property. Per UDC Article 5, Section 21.5.8 Permitted Use Table, properties within the General Business District (GB) must first be approved for a Specific Use Permit to do so.

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 Specific Use Permits, staff uses the criteria listed in UDC section 21.5.11.D. The criteria are listed below.

1. The proposed use at the specified location is consistent with the policies embodied in the adopted Comprehensive Land Plan.

The Comprehensive Plan designates this property as Industrial Hub. While Industrial Hub is intended to be a center for manufacturing and logistics activity, complimentary commercial services, especially in the buffer areas, are appropriate transitional uses. For these reasons, this proposal on this particular site conforms with the Comprehensive Land Use plan.

2. The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations.

General Business District (GB) is intended to provide suitable areas for the development of non-residential uses which offer a wide variety of retail and service establishments that are generally oriented toward serving the overall needs of the entire community. The convenience store with gas pumps would meet the intent of the zoning district.

3. The proposed use is compatible with and preserves the character and integrity of adjacent developments and neighborhoods, and includes improvements either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as safety, traffic, noise, odors, visual nuisances, drainage or other similar adverse effects to adjacent development and neighborhoods.

Adjacent to the property is a business park-style commercial development that is under construction. Also, to the south is a large area with primarily higher-intensity commercial and some light-industrial activity. The property also abuts FM 1518, which is a secondary arterial. Given this, the proposed land use is compatible with the surrounding area.

The applicant will have to meet all site design standards in Article 9, which is in place to ensure adverse effects of development are minimized and mitigated on neighboring properties.

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

The proposed development will have two points of access on two separate roads, Maske Road and FM 1518. This will minimize the hazardous effect of traffic. Engineering will review a more detailed traffic impact analysis at the time of the site plan process.

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

Engineering will review a more detailed traffic impact analysis at the time of the site plan process, and will determine what traffic mitigation methods will be required.

6. The proposed use incorporates features to minimize adverse effects, including visual impacts, of the proposed use on adjacent properties.

The proposed development will have to meet all site requirements in Article 9 including the screening and buffering that will be required. Article 9 is in place to ensure adverse effects are minimized and mitigated.

7. The proposed use meets the standards for the zoning district, or to the extent variations from such standards have been requested, that such variations are necessary to render the use compatible with adjoining development and the neighborhood.

The proposed development will have to meet all dimensional and design requirements of the General Business District (GB) as stipulated in UDC Section 21.5.7. No variations to the requirements have been requested.

8. The proposed [use] promotes the health, safety or general welfare of the City and the safe, orderly, efficient and healthful development of the City.

As part of promoting health, safety and welfare, the City should encourage development compatible with surrounding uses utilizing standards and transitional uses to alleviate negative impacts. Given the existing General Business (GB) zoning of the subject property and the similar commercial zoning of adjacent properties, this development is compatible with surrounding land uses.

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

This does not impact consideration by P&Z or the first reading from Council.

10. Other criteria which, at the discretion of the Planning and Zoning Commission and City Council are deemed relevant and important in the consideration of the Specific Use Permit.

Staff has ensured all UDC requirements have been met, and at this time have not received and special considerations from the Planning and Zoning Commission or the City Council.

JBSA has reviewed this proposal and submitted a letter of no objection to staff. Also, a Specific Use Permit was approved as Ord. 18-S-34 on October 23, 2018, for the same property with the same use, and has since expired. This is important to note as this proposal is similar to what has already been previously approved by City Council.

Therefore, Staff recommends approval of the Specific Use Permit to allow a convenience store with gas pumps at the subject property conditioned upon the following:

A building permit is approved within two years of the adoption of the SUP Ordinance.

RECOMMENDATION

Approval of PLSPU20240012

Attachments

Aerial Exhibit
Public Hearing Notice Map
Conceptual Site Plan Exhibit

PLANNING AND ZONING COMMISSION MEETING: 06/05/2024
Agenda Item 6 A

TO: Planning and Zoning Commission
PREPARED BY: Samuel Haas, Senior Planner
CASE: {@!@ud_fi1@!@}
SUBJECT: **PLPP20240008 Waiver** - Consider and act upon a request for a waiver in relation to on-site sewer facilities for the preliminary plat for the Schertz Storage Center Subdivision, approximately 7.8 acres of land generally located 2,800 feet to the east of the IH-35 and FM 2252 intersection, also known as Comal County Parcel ID 73256, City of Schertz, Comal County, Texas.

GENERAL INFORMATION:

Owner: SATX DEVELOPMENT LLC

Applicant: Robert Garza, Bain Medina Bain, Inc.

ITEM SUMMARY:

The applicant is requesting to preliminary plat approximately 7.8 acres of land in order to establish one lot. The subject property is currently zoned General Business District (GB) and Manufacturing - Light District (M-1).

UDC Section 21.3.3.B.2.h states that when an applicant is requesting a waiver to the requirements in Article 12, the request must be heard by the Planning and Zoning Commission.

GENERAL LOCATION AND SITE DESCRIPTION:

The property is undeveloped and located approximately 2,800-feet east of the intersection of IH-35 and FM 2252.

PUBLIC IMPROVEMENTS:

The applicant is seeking approval of the waiver to install a privately owned on-site sewer facility (OSSF) on the subject property proposed with the preliminary plat. In accordance with UDC Article 15, Easements and Utilities, Section 21.15.3.A: Wastewater Systems - Wastewater Connection Required and Section 21.15.2.D: Water Systems - Extension of Lines, all lots within a subdivision are required to extend across the property frontage and to connect to public sanitary sewer systems unless otherwise approved by the City.

Based on the requirements of the UDC, not connecting to a public sanitary sewer system, not extending a wastewater line across the frontage of the property, and installation of an on-site sewer facility (OSSF) requires a waiver to be granted by the Planning and Zoning Commission as detailed in UDC Section 21.12.5: Waivers.

STAFF ANALYSIS AND RECOMMENDATION:

The closest possible wastewater connection is more than 1,000 feet away and on the other side of IH-35. The Engineering Department has reviewed the waiver request and determined that it will support this waiver request as the topography and the property's current sewer shed make connection unreasonable at this time. Once public infrastructure has been extended to the area through the future "Town Creek Line", the subdivision will be required to connect to the sanitary sewer system in accordance with Section 90-78 of the Code of Ordinances.

Until that time, per the approval of the waiver request, the property will have an on-site sewer facility (OSSF). If approved, the OSSF proposed for the site will be reviewed and permitted through Comal County and will meet Comal County requirements. A building permit will not be issued without either a Comal County OSSF approved permit or extension of and connection to the public system.

Therefore, staff is providing a recommendation to approve this waiver request.

Planning Department Recommendation	
X	Approve as submitted
	Approve with conditions*
	Denial

* While the Commission can impose conditions; conditions should only be imposed to meet requirements of the UDC.

COMMISSIONERS CRITERIA FOR CONSIDERATION:

Section 21.12.15- Waivers:

A. General. The Planning and Zoning Commission may authorize waivers from the provisions of this Article when, in its opinion, undue hardship will result from requiring strict compliance. In granting a waiver, the Planning and Zoning Commission shall prescribe only conditions that it deems necessary or desirable to the public interest. In making thier finidings, the Planning and Zoning Commission shall take into account the nature of the proposed use of the land involved and existing uses of land in the vicinity, the number of persons who will reside or work in the proposed subdivision, and the probable effect of such waivers upon traffic conditions and upon the public health, safety, convenience, and welfare in the vicinity. Waivers shall not be granted unless the Planning and Zoning Commission finds:

1. That granting of the waiver will not be detrimental to the public health, safety, or welfare, or injurious to other property in the area; and
2. That the granting of the waiver will not have effect of preventing the orderly subdivision of land in the area in accordance with the provisions of this UDC. Such findings of the Planning and Zoning Commission, together with the specified facts upon which such findings are based, shall be incorporated into the official minutes of the Planning and Zoning Commission meeting at which the waiver is granted. Waivers may be granted only when in harmony with the general purpose and intent of this UDC so that the public health, safety, and welfare may be secured and justice done.

B. The Planning and Zoning Commission may establish a time period for execution of each granted waiver.

C. Such findings together with the specific facts on which such findings are based shall be incorporated into the official minutes of the Planning and Zoning Commission meeting at which such exception is granted.

D. Planning and Zoning Commission shall not authorize a waiver that would constitute a violation of a valid law, ordinance, code or regulation of the City.

E. Any decision of the Planning and Zoning Commission regarding waivers to the provisions of this Article may be appealed to the City Council. When considering an appeal, the City Council shall consider the same standards as the Planning and Zoning Commission as outlined above.

Attachments

Aerial Exhibit

Waiver Request Letter

Engineering Memo

Plat Exhibit

PLANNING AND ZONING COMMISSION MEETING: 06/05/2024
Agenda Item 6 B

TO: Planning and Zoning Commission
PREPARED BY: Samuel Haas, Senior Planner
CASE: {@!@ud_fi1@!@}
SUBJECT: **PLPP20240008** - Consider and act upon a request for approval of a preliminary plat for the Schertz Storage Center Subdivision, approximately 7.8 acres of land generally located 2,800 feet to the east of the IH-35 and FM 2252 intersection, also known as Comal County Parcel ID 73256, City of Schertz, Comal County, Texas.

GENERAL INFORMATION:

Owner: SATX DEVELOPMENT LLC
Applicant: Robert Garza, Bain Medina Bain, Inc.

APPLICATION SUBMITTAL DATE:

Date:	Application Submittal Type:
1/10/2024	Preliminary Plat

ITEM SUMMARY:

The applicant is requesting to preliminary plat approximately 7.8 acres of land in order to establish one lot. The subject property is currently zoned General Business District (GB) and Manufacturing - Light District (M-1).

UDC Section 21.3.3.B.2.h states that when an applicant is requesting a waiver to the requirements in Article 12, the request must be heard by the Planning and Zoning Commission. The preliminary plat is also being heard by the Planning and Zoning Commission as staff has determined that due to the discretionary nature of this application, it is best practice for this item to be heard by the appointed body of the Planning and Zoning Commission.

GENERAL LOCATION AND SITE DESCRIPTION:

The property is undeveloped and located approximately 2,800-feet east of the intersection of IH-35 and FM 2252.

ACCESS AND CIRCULATION:

The property currently has frontage along IH-35 and FM 482. The property is eligible for 2 access points, 1 at either frontage. According to the Master Thoroughfare Plan, FM 482 is a Principal Arterial.

Cross access easements have been provided at the frontage of both IH-35 and FM 482.

TREE MITIGATION AND PRESERVATION:

The applicant is intending to remove trees and will be responsible for complying with Unified Development Code (UDC), Section 21.9.9 Tree Preservation and Mitigation. Tree preservation and mitigation will be evaluated with the final plat and any subsequent applications.

PUBLIC SERVICES:

The site will be serviced by the City of Schertz for sewer, Green Valley Special Utility District for water, and CPS. The applicant has requested a waiver to not connect to the public sanitary sewer system. If the waiver is

granted, the site will be serviced by an on-site sewer facility (OSSF), which would be reviewed and permitted with Comal County.

PUBLIC IMPROVEMENTS:

All public improvements required for this subdivision are required to be installed prior to recording of the final plat per UDC, Section 21.4.15., unless otherwise specified in an approved improvement agreement.

Water: The property will be serviced by Green Valley Special Utility District for water. Water lines run along the frontage of FM 282, IH-35 and a 12-inch water line runs along the eastern subject property line.

Sewer: The applicant has provided a waiver request to the requirement to extend public sanitary sewer. The closest possible sewer is over 1,000-feet away and on the other side of IH-35 and is owned by the City of Schertz. Topography and the property's current sewer shed make connection unreasonable at this time. Once public infrastructure has been extended to the area through the future "Town Creek Line", the subdivision will be required to connect to the sanitary sewer system in accordance with Section 90-78 of the Code of Ordinances. If the sewer waiver request is approved, the property will be able to install an on-site sewer facility (OSSF) permitted by Comal County.

Drainage: The applicant is responsible for all drainage associated with the subject property, and for compliance with Stormwater regulations. A preliminary drainage report has been reviewed and approved by the City Engineer.

Sidewalks, Hike and Bike Trails: The property will be required to construct a sidewalk along FM 482 and will be required to meet the specifications of the City of Schertz.

Road Improvements: No road improvements are currently being proposed. The applicant is dedicating 25-feet of Right of Way along the frontage of FM 482 to the City of Schertz. FM 482 is classified as a Principal Arterial with 120-feet of Right of Way. A no objection letter has been received from TXDOT in regard to the plat.

STAFF ANALYSIS AND RECOMMENDATION:

The proposed preliminary plat is generally consistent with the applicable requirements for the property, ordinances, and regulations, The plat has been reviewed with no objections by the Engineering, Fire, and Planning Departments. Staff recommends approval of PLPP20240008.

Planning Department Recommendation	
X	Approve as submitted
	Approve with conditions*
	Denial

* While the Commission can impose conditions; conditions should only be imposed to meet requirements of the UDC.

COMMISSIONERS CRITERIA FOR CONSIDERATION:

The Planning and Zoning Commission is the final approval authority of the proposed preliminary plat. In considering final action on a preliminary plat, the Commission should consider the criteria within UDC, Section 21.12.8 D.

Attachments

Aerial Exhibit
Plat Exhibit

PLANNING AND ZONING COMMISSION MEETING: 06/05/2024
Agenda Item 8 A

SUBJECT

Current Projects and City Council Status Update

DEVELOPMENT INFORMATION

The following is being provided for information purposes only so that the Planning and Zoning Commission is aware of the current status of new site plan applications, status of applications heard by the Commission and recommended for final action by the City Council, and the status of administratively approved applications.

NEW SITE PLAN APPLICATIONS:

- The following new site plan application was submitted to the Planning and Community Development Department between May 10, 2024 and May 31, 2024.
 - Schertz Station Commercial Lots 5-8 site plans:
 - Lot 5, an approx .12,000sf multi-tenant (retail and fast food) building.
 - Lot 6, an approx .12,000sf multi-tenant (retail and fast food) building
 - Lot 7, two separate buildings totaling approx. 16,400sf for retail, restaurant, and fast food uses
 - Lot 8, an approx 8,000sf multi-tenant (retail and fast food) building.

CITY COUNCIL RESULTS: The following development applications were recommended for final action to the City Council:

- Ord. 24-S-18- Conduct a public hearing and consider a request to rezone approximately 1.8 acres of land from Pre-Development District (PRE) to Single-Family Residential/ Agricultural District (R-A), known as Bexar County Property Identification Number 308385, also known as 12396 Schaefer Road, City of Schertz, Bexar County, Texas.
 - Approved at the May 21, 2024 CC Meeting
- Ord. 24-S-19 - Conduct a public hearing and consider a request to rezone approximately 3 acres of land, from Pre-Development District (PRE) to Single-Family Residential/ Agricultural District (R-A), a portion of Bexar County Property Identification Number 308402, also known as 11627 Voges Pass, City of Schertz, Bexar County, Texas.
 - Approved at the May 21, 2024 CC Meeting
- Ordinance 24-S-20 - Conduct a public hearing and consider amendments to Part III of the Schertz Code of Ordinance, Unified Development Code (UDC) to Article 7- Nonconforming Uses, Lots and Structures to add Section 21.7.11- Agricultural Operations.
 - Recommendation for approval with modifications at May 8, 2024 P&Z Meeting
 - Scheduled for First Hearing at June 4, 2024 CC Meeting
- Ordinance 24-S-22 – Conduct a public hearing and consider a request to rezone approximately 498.2 acres of land to Single-Family Residential District (R-2) known as Comal County Property Identification Numbers 79004, 79006, 78976, 78960, 78957, and Guadalupe County Property Identification Numbers 68374, 61615, 68384, 68385, 68383, 61511, 61609, 68381, 68378, 68382, 68380, 68377, 61614, 63992 and to rezone approximately 132.6 acres of land to General Business District (GB) known as Comal County Property Identification Numbers 79018, 75449, 78923, 374148, 374146, 374145, 374144, 374147, 78218, 79009, and a portion of 79012, and to rezone approximately 262.9 acres of land to

Manufacturing District- Light (M-1) known as Comal County Property Identification Numbers 79001, 78945, 78946, 75480, 78247, 79017, 75468, 75462, 75463, a portion of 79012, Comal and Guadalupe County, Texas.

- Recommendation for approval to zone all parcels to Agricultural District (AD) at May 8, 2024 P&Z Meeting
 - Scheduled for First Hearing at June 4, 2024 CC Meeting
- Ordinance 24-S-24 – Conduct a public hearing and consider a request to rezone approximately 2,030 acres to Single Family Residential District (R-2) known as Bexar County Property Identification Numbers 310064, 1141730, 339772, 339773, 339744, 1050203, 340030, 339348, 339341, 339778, 310012, 309842, 339293, 339275, 339328, 1013798, 310222, 310026, 1274920, 339286, 310019, 1139530, 1056967, 339331, 1178480, 309427, 309425, 310006, 310125, 1056966, 312023, 310002, 310048, 1311565, 310022, 312015, 312017, 310126, 339290, 339288, 339790, 339334, 339329, 1140481, 310007, 312008, 309429, 1190132, 310032, 310090, 310107, 1103091, 1207560, 1103092, 1103093, 339325, 339276, 1178479, 310111, 310039, 339284, 310004, 309421, 309837, 340059, 339295, 309418, 339285, 310059, 310225, 310040, a portion of 339274, and to rezone approximately 10.1 acres to Neighborhood Services District (NS) known as a portion of Bexar County Property Identification Number 339274 and approximately 152.4 acres to General Business District (GB) known as Bexar County Property Identification Numbers 339359, 339362 and 339353, Bexar County, Texas.
 - Recommendation for approval to zone all parcels except 339359 to Agricultural District (AD) at May 8, 2024 P&Z Meeting
 - Scheduled for First Hearing at June 4, 2024 CC Meeting
- Ordinance 24-S-25 - Conduct a public hearing and consider a request to rezone approximately 1.4 acres of land, from Office and Professional District (OP) to Neighborhood Services District (NS), generally located 250-feet South of the intersection of Antler Drive and FM 3009, more specifically known as Guadalupe County Property Identification Number 20412, City of Schertz, Guadalupe County, Texas.
 - Recommendation for denial at May 8, 2024 P&Z Meeting
 - Scheduled for First Hearing at June 4, 2024 CC Meeting
- Ordinance 24-S-26 - Conduct a public hearing and consider a request for a Specific Use Permit to allow Mixed-Use Self-Storage in General Business District (GB) on approximately 2.2 acres, located East of the intersection of FM 3009 and Forest Ridge, more specifically known as a portion of Guadalupe County Property Identification Number 70506, City of Schertz, Guadalupe County, Texas.
 - Recommendation for approval at May 8, 2024 P&Z Meeting
 - Scheduled for First Hearing at June 4, 2024 CC Meeting

ADMINISTRATIVELY APPROVED PROJECTS:

- The following development applications were administratively approved between May 10, 2024 and May 31, 2024.
 - I-35 Subdivision Preliminary Plat
 - An approx. 114 acre subdivision establishing 5 lots, on IH 35 N at the border of the City of Schertz city limits and New Braunfels city limits. Approved on May 23, 2024.
 - Schertz Station Commercial Lots 5-8 site plans
 - Lot 5, an approx 12,000sf multi-tenant (retail and fast food) building, approved May 26, 2024.
 - Lot 6, an approx 12,000sf multi-tenant (retail and fast food) building, approved May 26, 2024.
 - Lot 7, two separate buildings totaling approx. 16,400sf for retail, restaurant, and fast food uses, approved May 26, 2024.
 - Lot 8, an approx 8,000sf multi-tenant (retail and fast food) building, approved May 26, 2024.
-