



**MEETING AGENDA**  
**City Council**  
**REGULAR SESSION CITY COUNCIL**  
**May 4, 2021**

**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, MAY 4, 2021 at 6:00 p.m.**

**City Council will hold its regularly scheduled meeting at 6:00 p.m., Tuesday, May 4, 2021, 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.**

**Call to Order**

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

**Presentations**

- Proclamation recognizing National Small Business Week. (Mayor/M. Titterington)

**City Events and Announcements**

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

## Hearing of Residents

Residents who choose to watch the meeting via live stream, but who would like to participate in Residents to be Heard, should email their comments to City Secretary, Brenda Dennis, at [bdennis@schertz.com](mailto:bdennis@schertz.com) by 5:00 p.m. on Monday, May 3, 2021, **SO THAT THE CITY SECRETARY MAY READ THE PUBLIC COMMENTS INTO THE RECORD UNDER THE HEARING OF RESIDENTS.** In the body of the email please include your name, your address, phone number, agenda item # if applicable or subject of discussion, and your comments.

*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.***

*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** – Consideration and/or action regarding the approval of the minutes of the regular meeting of April 27, 2021. (B. Dennis)
2. **Ordinance No. 21-T-16** - Consideration and/or action approving an Ordinance by the City Council of the City of Schertz, Texas authorizing an adjustment to the Fiscal Year 2020-2021 Budget to provide funding for an amendment to the 2017 Roadway Impact Fee Program, repealing all ordinances or parts of ordinances in conflict with this ordinance; and providing an effective date. ***Final reading*** (B. James/K. Woodlee)
3. **Ordinance No. 21-T-18** - Consideration and/or action approving an Ordinance by the City Council of the City of Schertz, Texas authorizing an adjustment to the Fiscal Year 2020-2021 Budget to provide funding for professional services related to the relocation of water and wastewater utilities along FM 1518 between FM 78 and IH 10, repealing all ordinances or parts of ordinances in conflict with this ordinance; and providing an effective date. ***Final reading*** (B. James/K. Woodlee/E. Schulze)
4. **Ordinance No. 21-T-17** - Consideration and/or action approving an ordinance by the City Council of the City of Schertz, Texas authorizing a budget adjustment to the FY 2020-21 Budget for electricity usage fees related to the Winter Storm, repealing all ordinances in conflict with this ordinance; and providing an effective date. (M. Browne/B. James/J. Walters) ***Final Reading***

5. **Resolution No. 21-R-37**– Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas, authorizing the City Manager to enter into an agreement with Halff Associates, Inc., for design, bid, and construction phase engineering services for the FM 1518 Water and Wastewater Utility Relocation project in advance of the FM 1518 road widening project. (B.James/K.Woodlee/E. Schulze)

### **Discussion and Action Items**

6. **Resolution No. 21-R-35** - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas authorizing the City Manager to amend the existing License and Management Agreements with the YMCA, by canceling the Management of the Wendy Swan Memorial Park Pool. (B. James/L. Shrum)

### **Public Hearings**

7. **Ordinance 21-A-13** - Conduct a public hearing, consider and/or take action on a request for voluntary annexation of approximately 35.5 acres of land generally located approximately 4,000 feet southeast of the intersection between FM 1518 and Lower Seguin Road, also known as Bexar County Property Identification Numbers 310024 and 310031, Bexar County, Texas. **First Reading** (B. James, L. Wood, N. Koplyay)
8. **Ordinance 21-S-14** Conduct a public hearing, consider and/or take action on a request to rezone approximately 39.5 acres of land to Planned Development District (PDD), generally located approximately 4,000 feet southeast of the intersection between FM 1518 and Lower Seguin Road, also known as Bexar County Property Identification Numbers 310024 and 310031, Bexar County, Texas. **First Reading** (B. James, L. Wood, N. Koplyay)
9. **Ordinance 21-S-15** Conduct a public hearing and consideration and/or take action on a request to rezone approximately 66 acres of land from Single-Family Residential District (R-2) and Neighborhood Services District (NS) to Planned Development District (PDD), generally located southwest of the intersection between Schertz Parkway and Wiederstein Road, City of Schertz, Guadalupe County, Texas. **First Reading** (B. James, L. Wood, N. Koplyay)

### **Roll Call Vote Confirmation**

### **Information available in City Council Packets - NO DISCUSSION TO OCCUR**

10. **COVID-19 UPDATE** - Bi-Weekly COVID-19 Update.(C. Kelm/ K.Long/S.Hall)

## Requests and Announcements

- Announcements by the City Manager.
- 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.
- Announcements by Mayor and Councilmembers
  - City and community events attended and to be attended
  - City Council Committee and Liaison Assignments (see assignments below)
  - Continuing education events attended and to be attended
  - Recognition of actions by City employees
  - Recognition of actions by community volunteers

## Adjournment

### CERTIFICATION

I, BRENDA DENNIS, 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 30th DAY OF APRIL 2021 AT 3:45 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.

BRENDA DENNIS

**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 \_\_\_\_\_, 2021. 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

<b>Mayor Gutierrez</b> Audit Committee Investment Advisory Committee Main Street Committee	<b>Councilmember Scagliola – Place 5</b> Cibolo Valley Local Government Corporation - Alternate Hal Baldwin Scholarship Committee Interview Committee for Boards and Commissions - Alternate Schertz-Seguin Local Government Corporation
<b>Councilmember Davis– Place 1</b> Interview Committee for Boards and Commissions Main Street Committee - Chair Schertz Housing Authority Board TIRZ II Board	<b>Councilmember Scott – Place 2</b> Interview Committee for Boards and Commissions Schertz Animal Services Advisory Commission
<b>Councilmember Whittaker – Place 3</b> Audit Committee TIRZ II Board	<b>Councilmember Dahle – Place 4</b> Cibolo Valley Local Government Corporation Interview Committee for Boards and Commissions TIRZ II Board
<b>Councilmember Heyward – Place 6</b> Audit Committee Investment Advisory Committee Main Street Committee	<b>Councilmember Brown – Place 7</b> Main Street Committee Schertz-Seguin Local Government Corporation - Alternate

**CITY COUNCIL MEMORANDUM**

**City Council Meeting:** May 4, 2021  
**Department:** City Secretary  
**Subject:** Minutes – Consideration and/or action regarding the approval of the minutes of the regular meeting of April 27, 2021. (B. Dennis)

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**BACKGROUND**

The City Council held a Regular City Council meeting on April 27, 2021.

**RECOMMENDATION**

Recommend Approval.

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**Attachments**

4-27-2021 Draft minutes

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# DRAFT

## MINUTES REGULAR MEETING April 27, 2021

A Regular Meeting was held by the Schertz City Council of the City of Schertz, Texas, on April 27, 2021, 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 Jill Whittaker; Councilmember Mark Davis; Councilmember Michael Dahle; Councilmember David Scagliola; Councilmember Allison Heyward; Councilmember Tim Brown

Absent: Councilmember Rosemary Scott

City      City Manager Dr. Mark Browne; Assistant City Manager Charles Kelm; City  
Staff:    Attorney Daniel Santee; City Secretary Brenda Dennis; Assistant to the City  
            Manager Sarah Gonzalez; Deputy 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. (Mayor Pro-Tem Whittaker)**

Mayor Gutierrez recognized Mayor Pro-Tem Whittaker who provided the opening prayer followed by the Pledges of Allegiance to the Flags of the United States and the State of Texas.

### **Employee Recognition**

- 20 Year Service Pin Presentation to Sylvia DeLeon. (M. Browne)

Mayor Gutierrez recognized City Manager Dr. Mark Browne who introduced and recognized the Sr. HR Generalist Sylvia DeLeon for her 20 years of service to the City and presented her with her 20 year service pin. Ms. DeLeon introduced her family members who were present. Mayor and Council also congratulated Sylvia.

## **Presentations**

- Green Valley Special Utility District Winter Storm Event update. (Jill Bennett - Board President - Pat Allen - General Manager)

Mayor Gutierrez recognized President Jill Bennett and General Manager Pat Allen with the Green Valley Special Utility District who provided a brief PowerPoint presentation regarding the Winter Storm event and how it affected their customers.

## **City Events and Announcements**

- Announcements of upcoming City Events (B. James/C. Kelm/S. Gonzalez)

Mayor Gutierrez recognized Assistant to the City Manager Sarah Gonzalez who provided the following information:

- Saturday, May 1st

City Nature Challenge  
10:00 AM – 2:00 PM  
Crescent Bend Nature Park

Schertz Parks & Recreation will be joined by Guadalupe Master Naturalists to share information and encourage residents to find and document nature in our area. Event details can be found on the Schertz Parks & Recreation Facebook page.

- Sundays, April 18th through May 23rd

Come enjoy watching the Adult Kickball League (ages 21 years and older) sponsored by the Schertz Parks & Rec Social League. Games are played Sunday evenings from 6-10 PM through May 23rd at Thulemeyer Park.

- Tuesday, May 4th

Next regular scheduled Council meeting

- Announcements and recognitions by the City Manager (M. Browne)

None were provided at this time.

- Announcements and recognitions by the Mayor (R. Gutierrez)

Mayor Gutierrez thanked all those who volunteered to help with the food drive held today.

## Hearing of Residents

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Mayor Gutierrez indicated that no one had signed up on the sign-in sheet this evening and asked the City Secretary if she had received any by email.

Deputy City Secretary Sheila Edmondson read the following into record regarding workshop agenda item 6:

- Mr. John Sullivan, 513 Triple Crown who enthusiastically agreed with the idea of a more inclusive program geared toward leadership and fostering a young volunteer community that informs our city leaders. This aligns well with the leadership initiatives in our local schools and modernizes the program to be more beneficial to both the participants and the community. This also aligns with our Hal Baldwin scholarship and current student council programs. I strongly encourage the direction staff is taking to transform the Sweetheart Court into the Schertz Young Leaders program!

## 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.

Mayor Gutierrez read the following items into record:

1. **Minutes** – Consideration and/or action regarding the approval of the minutes of the Joint and Regular City Council meeting of April 13, 2021. (B. Dennis/S. Edmondson)

2. **Resolution No. 21-R-36** - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas authorizing additional expenditures with Bound Tree Medical totaling no more than \$175,000 and with Henry Schein, Inc. totaling no more than \$100,000 for medical supplies and other matters in connection therewith. (M. Brown/C. Kelm/J. Mabbitt)

Mayor Gutierrez asked Council if there were any items they wished removed for separate action. No items were removed.

Moved by Councilmember Mark Davis, seconded by Councilmember Michael Dahle to approve consent agenda items 1 & 2.

AYE: Mayor Pro-Tem Jill Whittaker, Councilmember Mark Davis, Councilmember Michael Dahle, Councilmember David Scagliola, Councilmember Allison Heyward, Councilmember Tim Brown

Passed

## Discussion and Action Items

Mayor Gutierrez read the following items into record:

3. **Ordinance No. 21-T-16** - Consideration and/or action approving an Ordinance by the City Council of the City of Schertz, Texas authorizing an adjustment to the Fiscal Year 2020-2021 Budget to provide funding for an amendment to the 2017 Roadway Impact Fee Program, repealing all ordinances or parts of ordinances in conflict with this ordinance; and providing an effective date. *First reading* (B. James/K. Woodlee)

Mayor Gutierrez recognized City Engineer Kathy Woodlee who introduced this item stating the City of Schertz adopted the 2017 Roadway Impact Fee Program (Program) by Ordinance 18-M-13 establishing the collection and use of Roadway Capital Recovery Fees. The program includes the division of the City into four service areas in which fees are collected from new development, accumulated in accounts assigned to each respective area, and made available for use to fund roadway projects identified in the adopted Capital Improvement Plan. Chapter 395 of the Texas Local Government Code stipulates that the established service areas be limited to the area within the corporate boundaries of the political subdivision. In order to expand the areas subject to the program to include area annexed into the City Limits since adoption of the Capital Recovery Fee Ordinance, the Program must be amended.

Amending the Program to incorporate the newly annexed areas includes data collection, update of impact fee databases, calculation of updated cost per

service area unit, technical documentation, and statutorily required Capital Improvement Advisory Committee (CIAC) meeting(s) and public hearings.

Staff recommends approval of the budget adjustment to fund an amendment to the Roadway Impact Fee Program.

Moved by Councilmember Tim Brown, seconded by Councilmember Mark Davis to approve Ordinance No. 21-T-16 on first reading.

AYE: Mayor Pro-Tem Jill Whittaker, Councilmember Mark Davis,  
Councilmember Michael Dahle, Councilmember David Scagliola,  
Councilmember Allison Heyward, Councilmember Tim Brown

Passed

4. **Ordinance No. 21-T-18** - Consideration and/or action approving an Ordinance by the City Council of the City of Schertz, Texas authorizing an adjustment to the Fiscal Year 2020-2021 Budget to provide funding for professional services related to the relocation of water and wastewater utilities along FM 1518 between FM 78 and IH 10, repealing all ordinances or parts of ordinances in conflict with this ordinance; and providing an effective date. ***First reading*** (B. James/K. Woodlee/E. Schulze)

Mayor Gutierrez recognized City Engineer Kathy Woodlee who introduced this item stating part of the preparation for the widening of FM 1518 from FM 78 to IH 10 is the relocation of underground utilities so that they will not be beneath the pavement of the new roadway (with few exceptions like crossings). The City of Schertz has water and wastewater mains and appurtenances that must be relocated. A step in the process to relocate those utilities is to engage a Professional Engineering firm to provide services related to the design and construction phases of that project.

City Staff has worked with Halff Associates, Inc., to develop a scope for those services and a budget adjustment is needed to fund this portion of the project. Proposed ordinance 21-T-18 allocates \$600,000 for the professional services needed to assist the City with relocation of the utilities. That amount includes the consultant's fee and a contingency amount of approximately ten percent. Staff recommends approval.

Moved by Mayor Pro-Tem Jill Whittaker, seconded by Councilmember Allison Heyward to approve Ordinance No. 21-T-18.

AYE: Mayor Pro-Tem Jill Whittaker, Councilmember Mark Davis,  
Councilmember Michael Dahle, Councilmember David Scagliola,  
Councilmember Allison Heyward, Councilmember Tim Brown

Passed

5. **Ordinance No. 21-T-17** - Consideration and/or action approving an ordinance by the City Council of the City of Schertz, Texas authorizing a budget adjustment to the FY 2020-21 Budget for electricity usage fees related to the Winter Storm, repealing all ordinances in conflict with this ordinance; and providing an effective date. (M. Browne/B. James/J. Walters) ***First Reading***

Mayor Gutierrez read the corrected caption into record.

Mayor Gutierrez recognized Finance Director James Walters who introduced this item stating the state had an unprecedented winter storm that left much of the state with freezing temperatures and power outages between February 10 and 20, 2021. During this time, the Electric Reliability Council of Texas (ERCOT) set the price of electricity at the \$9,000-a-megawatt-hour maximum for nearly two days due to high demand. This led to high electric costs to providers.

Due to the high electric costs, Guadalupe Valley Electric Cooperative (GVEC) must spread its costs for the winter storm to its customers. GVEC had a special fund balance that it spent down in order to avoid large swings in prices to its residential customers based on the prices ERCOT sets. Residential customers will see a small increase in their rates going forward as GVEC replenishes its emergency fund.

Commercial customers, like the City, have ERCOT's fee changes passed directly on to them. GVEC waited until they received their charges for power usage before assigning the charge to their commercial customers. Based on the calculation by GVEC, the City's outstanding charge for the winter storm is \$63,188.10.

For Fiscal Year 2019-20, the total payments to GVEC were \$460,038.51. This additional charge would be an estimated 13.7% increase in fees and staff is not confident the budget can account for those overages.

There could be an option to submit these charges for federal relief through a grant program and help offset some fiscal impact of this charge. Staff is waiting on clarification from the state to see if these charges are applicable for reimbursement.

GVEC has offered to let the city spread these charges over a 48-month maximum with a 2.33% financing charge on top of the balance. If the city pays off the entire portion upfront, there would be no additional charges.



Since these charges are for services within the current fiscal year, the city must recognize the entire expense on its financial statements even if it spreads out the payments over the next 4 years. Since the city does have enough cash on hand to pay the charge up front, Staff recommends paying the balance with the upcoming bill.

Staff wanted council's input before such a decision was made and has GVEC Chief Operating Officer Sean Alvarez to help answer any questions on the fee calculations. Mr. Walters addressed questions from Council.

After discussion by Council, it was Council's concurrence to pay the additional \$63,188.10.

Moved by Councilmember David Scagliola, seconded by Councilmember Mark Davis to approve Ordinance No. 21-T-17 on first reading with the payment of \$63,188.10.

AYE: Mayor Pro-Tem Jill Whittaker, Councilmember Mark Davis, Councilmember Michael Dahle, Councilmember David Scagliola, Councilmember Allison Heyward, Councilmember Tim Brown

Passed

## **Roll Call Vote Confirmation**

Mayor Gutierrez recognized Deputy City Secretary Sheila Edmondson who provided the roll call vote confirmation for agenda items 1 through 5.

## **Workshop**

6. Discussion on the future of the Schertz Sweetheart Program. (B. James/L. Shrum)

Mayor Gutierrez recognized Director of Parks, Recreation and Community Services Lauren Shrum who introduced this item stating the Schertz Sweetheart Program has been coordinated by the city for 14 years. The program originally began under the umbrella of the Schertz Business Association back in 1989 which was a predecessor to the current Chamber of Commerce. The program was a traditional pageant program that focused on evening gowns, talent, and interview portions and culminated in a coronation of court members. The number of court members has varied over the years but there have been 4 members for the last 9 years - Miss Schertz, Miss Sunshine, Miss Jubilee, and Miss Friendly City. The court has represented the city at various special events and participates in parades in neighboring cities. The court also participates in a service project. Originally the program had fairly

good participation, but over the years has waned, and ultimately only serves 4 youth.

Since the COVID-19 pandemic hit, we were unable to host the traditional pageant program and coronation in 2020. Thus, city staff created a virtual application process whereby participants created talent videos on their own at home and uploaded them to a site for the judges to view. They participated in live Zoom interviews with the judges and participants also pre-recorded a "Ted-Talk" type video on a persuasive speech of any topic of their choosing. The judges utilized these videos and virtual interviews to make their selection of the 2020 Court. Opportunities for the court to participate in activities and programs was limited in 2020 due to the pandemic, so the court experience was not the same as it had been. In 2021, we will utilize the same process because even though we are hosting special events and programs again, the Civic Center is being used exclusively for vaccine clinics and SCUCISD is not renting any of their auditorium facilities for outside use at this time.

Since the pause in the traditional program really forced us to reevaluate how we put the program on, conversations among staff began again about changing the program. Over the last several years there has been discussion of evolving the program into a more inclusive format that can impact more youth. City staff did research on the Texas Municipal League's (TML) Youth Advisory Commission (YAC) program and looked at what other neighboring cities are doing such as Youth Leadership New Braunfels. There are currently 38 Youth Advisory Commissions across the state and there is an annual YAC Summit hosted once a year by TML. The YAC initiative provides cities with energetic volunteers for civic projects, gives city leaders a fresh perspective on issues challenging our cities, and creates a sense of accomplishment for youth. The Youth Leadership New Braunfels program is so popular that they had over 100 applicants for 30 slots. The program focuses on city government, leadership skills, healthcare and social services, and higher education. Participants go on a retreat and participate in a graduation ceremony.

The idea is to evolve the Sweetheart Court into a leadership program entitled Schertz Young Leaders. The new program would have up to 20 participants and would be modeled similarly to Youth Leadership New Braunfels. Schertz Young Leaders would focus on leadership, communication, civic responsibility, community service, public speaking, and teamwork. Participants will get to engage with the business community and civic leaders, participate in a team-building retreat and community service opportunities, and represent the city at various special events.

City staff recommends evolving the Sweetheart Court program into the Schertz Young Leaders program in FY 21-22.

Mayor and Council discussed this and it was the concurrence of Council to move forward with the program.

**Information Item: Available in City Council Packets - NO DISCUSSION TO OCCUR**

Mayor Gutierrez mentioned that agenda item 7 is an informational only item and was provided in their packets as well as can be found online.

**7. COVID-19 UPDATE - Bi-Weekly COVID-19 Update.(C. Kelm/  
K.Long/S.Hall)**

**Requests and Announcements**

- Announcements by the City Manager.

Mayor Gutierrez recognized City Manager Dr. Mark Browne who recognized and congratulated Assistant City Manager Charles Kelm who has been elected Secretary/Treasurer for Region 8 of the Texas City Managers Association.

- Requests by Mayor and Councilmembers for updates or information from staff.

No updates requested at this time.

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

No items requested at this time.

- Announcements by Mayor and Councilmembers

- City and community events attended and to be attended
- City Council Committee and Liaison Assignments (see assignments below)
- Continuing education events attended and to be attended
- Recognition of actions by City employees
- Recognition of actions by community volunteers

Mayor Gutierrez recognized the following:

Mayor Pro-Tem Whittaker who stated she attended the following:

- Citizen Police Academy
- Vaccination Clinic
- 12th Flying Wing Military Affairs Luncheon
- Chamber Luncheon

Councilmember Dahle who stated he attended the following:

- Chamber Luncheon
- CVLGC Board Meeting

Councilmember Scagliola who stated he attended the following:

- Chamber Luncheon
- Various Ribbon Cutting events
- Vaccination Clinic

Councilmember Heyward who stated she attended the following:

- Chamber Luncheon
- MAC Luncheon
- Food Drive
- TML Legislative Update Webinar

### **Adjournment**

Mayor Gutierrez adjourned the meeting at 7:12 p.m.

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Ralph Gutierrez, Mayor

ATTEST:

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Brenda Dennis, City Secretary

**CITY COUNCIL MEMORANDUM**

**City Council Meeting:** May 4, 2021

**Department:** City Secretary

**Subject:** Ordinance No. 21-T-16 - Consideration and/or action approving an Ordinance by the City Council of the City of Schertz, Texas authorizing an adjustment to the Fiscal Year 2020-2021 Budget to provide funding for an amendment to the 2017 Roadway Impact Fee Program, repealing all ordinances or parts of ordinances in conflict with this ordinance; and providing an effective date. *Final reading* (B. James/K. Woodlee)

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**BACKGROUND**

The City of Schertz adopted the 2017 Roadway Impact Fee Program (Program) by Ordinance 18-M-13 establishing the collection and use of Roadway Capital Recovery Fees. The program includes the division of the City into four service areas in which fees are collected from new development, accumulated in accounts assigned to each respective area, and made available for use to fund roadway projects identified in the adopted Capital Improvement Plan. Chapter 395 of the Texas Local Government Code stipulates that the established service areas be limited to the area within the corporate boundaries of the political subdivision. In order to expand the areas subject to the program to include area annexed into the City Limits since adoption of the Capital Recovery Fee Ordinance, the Program must be amended.

Amending the Program to incorporate the newly annexed areas includes data collection, update of impact fee databases, calculation of updated cost per service area unit, technical documentation, and statutorily required Capital Improvement Advisory Committee (CIAC) meeting(s) and public hearings. It is proposed that the City contract with Freese and Nichols, Inc., the firm that prepared the original program for the City, to assist with the process. Additional expenses are also expected such as public notification and meeting expenses.

In order to expend funds for the program amendment, an adjustment to the fiscal year 2020-2021 is needed.

City Council approved this on first reading at their meeting on April 27, 2021.

**GOAL**

Approval of budget adjustment to fund an amendment to the Roadway Impact Fee Program.

**COMMUNITY BENEFIT**

Maintenance of the Roadway Impact Fee Program to include all areas within the City Limits as it changes ensures that all new development within the City contributes fairly to the expense of expansion of the transportation network.

**SUMMARY OF RECOMMENDED ACTION**

Approval of Ordinance 21-T-16 approving the budget adjustment.

## **FISCAL IMPACT**

This ordinance will allocate \$20,000 for expenses related to an amendment to the City's Roadway Impact Fee Program. The funding and expenses will be equally distributed among the four roadway service areas (\$5,000 allocated from each). As of March 31, 2021, the fund for each of the four service areas has adequate funding for this purpose:

Area 1	\$477,546
Area 2	\$197,769
Area 3	\$825,820
Area 4	\$6,274

## **RECOMMENDATION**

Staff recommends approval of Ordinance 21-T-16 on final reading.

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### **Attachments**

Ordinance 21-T-16

FNI Proposal

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## **ORDINANCE NO. 21-T-16**

**AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AUTHORIZING AN ADJUSTMENT TO THE FISCAL YEAR 2021 BUDGET TO PROVIDE FUNDING FOR AN AMENDMENT TO THE 2017 ROADWAY IMPACT FEE PROGRAM, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE**

WHEREAS, pursuant to Ordinance 20-T-31, the City Council of Schertz, Texas, (the “City”) adopted the budget for the City for the fiscal year 2020-2021 (the “Budget”), which provides funding for the City’s operations throughout the 2020-2021 fiscal year; and

WHEREAS, the City needs to authorize budget amounts of \$5,000 from each of the four Roadway Impact Fee Service Area accounts (for a total of \$20,000) for the purpose of contracting professional services and other associated expenses related to a necessary amendment of the current Impact Fee Program; and

WHEREAS, City staff recommends that the City Council of the City adjust the Budget and approve the ordinance; and

WHEREAS, the City Council of the City has determined that it is in the best interest of the City to adjust the Budget and approve the expenditure of Roadway Impact Fee funds, as more fully set forth in this Ordinance.

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

Section 1. The City shall allocate a budget of \$5,000 for each of the four Roadway Impact Fee Service Area Accounts for professional services related to amendment of the 2017 Roadway Impact Fee Program.

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.

PASSED ON FIRST READING, the 27<sup>th</sup> day of April, 2021.

PASSED, APPROVED and ADOPTED ON SECOND READING, the 4<sup>th</sup> day of May, 2021.

CITY OF SCHERTZ, TEXAS

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Mayor

ATTEST:

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City Secretary

(CITY SEAL)



March 26, 2021

Kathryn Woodlee, PE, CFM  
Public Works Director/City Engineer  
City of Schertz

Re: Proposal for Professional Services  
**Schertz Roadway IFEE, Small Area Update**

Dear Ms. Woodlee:

Freese and Nichols, Inc. (FNI) is pleased to submit this proposal for providing professional services to the City of Schertz (City) to perform technical services for proposed amendment to the 2017 Roadway Impact Fee (IFEE) program to accommodate annexations. The scope in this proposal is in response to review of proposed annexations subsequent discussion with City staff.

## **BACKGROUND**

Through the City's fee authority and transportation infrastructure coordinating processes, there may be proposed revisions to the impact fee program such as revising service area boundaries, and to bring city policy into line with Chapter 395 of the Texas Local Government Code. The Impact fee program work affected by the amendment could include: amendment of roadway service area maps, incorporation of additional roadway capital improvement projects, analysis of capacity and utilization of project additions, use of relevant traffic data collected by the city, and potential recalculation of cost per service area. It is understood that no changes to the program Land Use Assumptions will be undertaken at this time. It is also understood that the study and program policy effort will need to be coordinated through the Capital Improvements Advisory Committee in a meeting, with subsequent public hearing with Schertz City Council. The City of Schertz requested FNI prepare a proposal to assist with these efforts, approximately.

## **EXHIBIT A - SCOPE OF SERVICES (BASIC SERVICES)**

FNI will render professional services as detailed in the attached scope of work (Attachment A).

## **EXHIBIT B - TIME OF COMPLETION**

As noted in Exhibit A, FNI will substantially complete the technical work within 45 days of notice to proceed and analysis of all necessary design documentation. FNI proposes to complete adoption support assistance, within an additional 8 weeks contingent on public meeting scheduling and noticing. Total project timeframe is proposed to be 4-5 months, in total. If FNI's services are delayed through no fault of FNI, FNI shall be entitled to equitable adjustment of compensation and FNI shall be entitled to adjust contract schedule consistent with the number of days delay.

## DESIGNATED REPRESENTATIVES

FNI designates the following representatives:

FNI's Project Manager

David Paine, AICP, PTP  
10431 Morado Circle, Suite 300  
Austin, Texas 78759  
Phone: 512-617-3107  
E-mail: David.Paine@freese.com

FNI's Accounting Representative

Stephanie Kirchstein  
2711 North Haskell Ave., Suite 3300  
Dallas, TX 75204  
Phone: 214-217-2212  
E-mail: Stephanie.Kirchstein@freese.com

## EXHIBIT C - COMPENSATION

FNI proposes to furnish our services as described herein on a time and materials basis in accordance with Attachment CO, "Compensation". The total fee shall be dependent on the nature of the services but shall not exceed \$13,350. FNI will perform the services covered within this document up to the contract amount. If additional effort is needed for an assigned review, FNI will communicate the need for a supplemental at that time.

Payment of the services shall be due and payable upon submission of a statement for services. Statements for services shall not be submitted more frequently than monthly.

We appreciate this opportunity to submit this proposal. If additional information or clarification is desired, please do not hesitate to contact us.

Sincerely,

**FREESE AND NICHOLS, INC.**

A handwritten signature in blue ink, appearing to read 'D. Paine'.

David Paine, AICP, PTP  
Project Manager  
512-617-3107

A handwritten signature in blue ink, appearing to read 'Edmund Haas'.

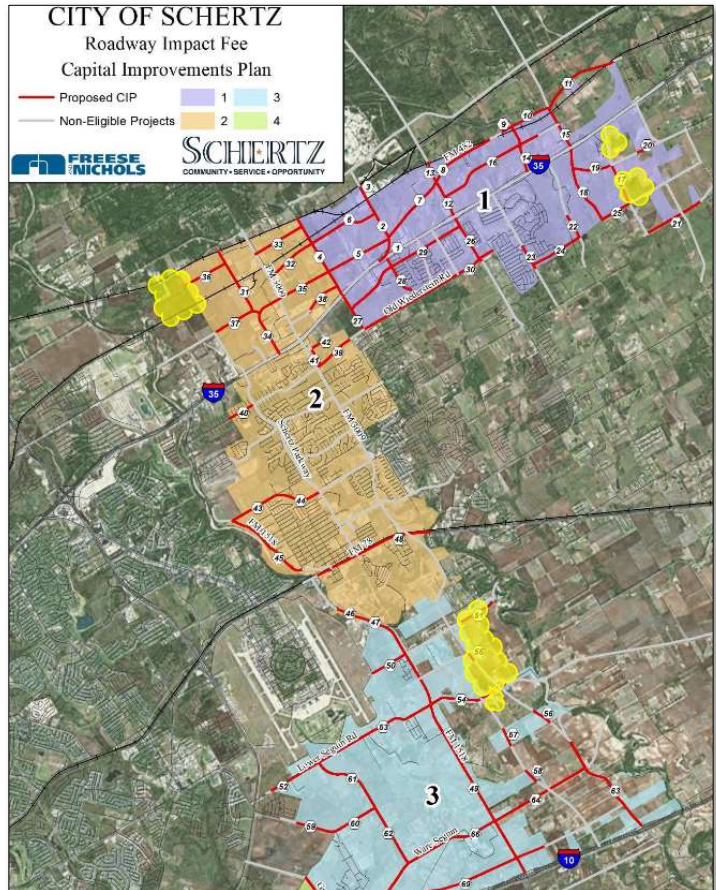
Edmund Haas, AICP  
Vice-President  
214-217-2321

**Exhibit A**  
**Schertz Roadway Impact Fee Small Area Update**  
**Amendments to 2017 Program for Annexations and CIP Amendments**  
**Scope of Services**

Project Understanding: To amend the roadway impact fee program to incorporate recent annexations into the City and update the capital improvements plan to enable the collection of impact fees from new development consistent with the requirements of Chapter 395 of the Texas Local Government Codes. Roadway service areas affected by the annexations include Service Areas 1, 2, and 3.

Impact fee program work affected by the amendments include amendment of roadway service area maps, incorporation of additional roadway capital improvement projects, analysis of capacity and utilization of project additions, collection of relevant traffic data, and calculation of the cost per service unit. No changes to the program Land Use Assumptions will be undertaken.

A technical memorandum documenting the program additions, associated cost elements, analyses and cost per service unit calculations will be provided for the affected service areas within the city. The study will be coordinated through the Capital Improvements Advisory Committee Meeting and culminate with a public hearing with the City Council.



Freese and Nichols (FNI) will render the following professional services in connection with the development of the Project:

### **TASK 1.0 DATA COLLECTION**

With the affected annexations, the City has identified project additions for incorporation into the impact fee program. Impact fee project additions may require traffic count data that the City will assist in providing. Newly annexed areas will be incorporated into appropriate roadway service zones. Other relevant data collection include:

- Project data for length, number of lanes and functional class,
- PM peak hour directional traffic counts (the City will provide as needed), and
- Project cost estimates for; construction, engineering, right-of-way and debt service. Appropriate allocation will be made to consider city limits and split service area boundaries. FNI will use available project cost data prepared for other city planning initiatives.

The city will assist with the provision of GIS shapefile data of newly incorporated city limits and any other available cost data. Following completion of data collection, updated data will be compiled into a database for use in subsequent cost per service unit calculations (Task 2).

**Task Products:**

- 1.1 Incorporation of newly annexed areas into respective roadway service boundaries.
- 1.2 Relevant data collection and CIP project cost estimates.
- 1.3 Identify PM peak hour directional count data for data collection by the City.
- 1.4 Reduce data into impact fee database format.

## **TASK 2.0 UPDATE IMPACT FEE DATABASES AND COST PER SERVICE UNIT CALCULATION**

With newly acquired data, update program databases for project data including capacity, utilization and excess capacity. Project data additions will be consistent with previous database requirements. Project cost estimates will be incorporated and associated cost per service unit calculated by appropriate service area.

As this program amendment will not include update to land use assumptions, previously prepared growth forecasts will be use for the cost per service unit determination.

**Task Products:**

- 2.1 Update roadway inventory database for project data (project name, length, number of lanes, functional class, roadway type), capacity, utilization and excess capacity.
- 2.2 Incorporate project cost estimates, assign costing to appropriate service areas.
- 2.3 Calculate respective maximum cost per service unit.

## **TASK 3.0 TECHNICAL DOCUMENTATION**

FNI will prepare a technical memorandum documenting methodology and findings of the program amendments. A draft memorandum will be prepared for initial staff review/comment prior to submission to the Capital Improvement Advisory Committee (CIAC) and subsequent public hearing process. Subject to staff review, one consolidated set of comments will be provided to FNI to address and provide one final technical memorandum for submission to the public hearing process. One electronic copy (PDF format) will be provided for the city to reproduce as necessary.

The City will lead and be responsible for amendments to appropriate ordinances with the results of the updated technical analysis/memorandum. FNI will support with the preparation of necessary tables or exhibits for incorporation into ordinance amendments.

**Task Products:**

- 3.1 Preparation of initial draft and final technical memoranda (PDF format) for use with CIAC and in public hearings process.

## **TASK 4.0 MEETINGS**

To expedite the amendment process, technical work will be initiated immediately with results communicated with City Staff via virtual meetings. Meetings to be conducted as part of this amendment include;

- One (1) meeting with the CIAC. Technical work prepared will be completed in advance of the meeting. The CIAC will be expected to review and comment on program amendments and subsequently file a written letter with the City Council for public hearing for potential

amendments to the program. Appropriate PowerPoint presentation materials will be prepared for the meeting. Any additional meetings with the CIAC will be on a time and expense basis.

Chapter 395 requires a Public Hearing to be held to discuss proposed amendments as well as adoption of amended ordinances. Per direction from the City, City Staff will lead the public hearing process for proposed program amendments. FNI will assist in compiling appropriate materials in the form of a PowerPoint presentation. Should FNI assistance be needed at the Public Hearing, it will be on a time and expense basis.

### **TIME OF COMPLETION**

FNI is authorized to commence work on the Project upon execution of this Agreement and agrees to complete the services in accordance with the following schedule:

Technical work within 45-days (assumes April 1<sup>st</sup> start) to facilitate a CIAC meeting on May 12<sup>th</sup> or June 9<sup>th</sup> and a City Council Public Hearing on July 13, 2021. Key assumptions include:

- City assistance with Council Resolution noticing of an update on May 25, 2021
- City assistance with public noticing in the newspaper by June 11, 2021
- City adoption of ordinance on July 13 and/or not later than July 27, 2021

If FNI's services are delayed through no fault of FNI, FNI shall be entitled to equitable adjustment of compensation and FNI shall be entitled to adjust contract schedule consistent with the number of days of delay.

### **COMPENSATION**

The total fee for these services shall be a lump sum fee of Thirteen Thousand Two-Hundred Fifty Dollars (\$13,350.00). If additional services are needed, FNI will notify the City for the City's approval before proceeding. Payment of the services shall be due and payable upon submission of a statement for services. Statements for services shall not be submitted more frequently than monthly.

### **RESPONSIBILITIES OF CITY**

City shall perform the following in a timely manner so as not to delay the services of FNI:

- A. Designate in writing a person to act as City's representative with respect to the services to be rendered under this Agreement. Such person shall have contract authority to transmit instructions, receive information, interpret and define City's policies and decisions with respect to FNI's services for the Project
- B. As the City of Schertz will serve as a conduit for information, the City shall provide information pertaining to applicable ordinances, studies, available data or development plans. If data is required from other public agencies or applicants for development, the City will assist in making requests for such data. When possible, electronic information should be obtained for purposes of overlaying such data with other information in geographic information systems (GIS).
- C. FNI will coordinate with City Staff with respect to count locations.
- D. Coordinate meeting times and places, including notifying appropriate committees and council.
- E. Review and comment on Consultant analyses and technical memorandum.
- F. Publish all public hearing notices, including all notices required in the newspaper.

- G. Provide updated city limits data in electronic GIS format files.
- H. Provide data of existing roadways (arterial and collector streets) within the city limits. Specific information required for the inventory includes the following:
- Roadway name
  - Roadway type (divided, undivided, arterial, collector, etc.)
  - Existing number of lanes
- I. Any historic roadway unit cost information and, if available, projected total roadway costs for proposed impact fee projects. Project cost should be broken into construction, engineering, right-of-way and debt service. Any previous collections by the City should also be submitted. Engineering unit cost information should resemble facility types depicted on the City Thoroughfare Plan. Historic costs should be provided for the development of unit cost data for costs estimates and/or those projects intended for recoupment.
- J. Arrange for access to and make all provisions for FNI to enter upon public facilities as required for FNI to perform services under this Agreement.
- K. Examine all studies, reports, sketches, drawings, specifications, proposals and other documents presented by FNI, obtain advice of an attorney, insurance counselor and other consultants as City deems appropriate for such examination and render in writing decisions pertaining thereto within a reasonable time so as not to delay the services of FNI.
- L. Provide such accounting, independent cost estimating, and insurance counseling services as may be required for the Project, such legal services as City may require or FNI may reasonably request about legal issues pertaining to the Project.

**COMPENSATION****Position- Freese and Nichols****Hourly Rate**

Professional - 1	113
Professional - 2	137
Professional - 3	165
Professional - 4	190
Professional - 5	209
Professional - 6	253
Construction Manager - 1	91
Construction Manager - 2	117
Construction Manager - 3	138
Construction Manager - 4	173
CAD Technician/Designer - 1	96
CAD Technician/Designer - 2	126
CAD Technician/Designer - 3	153
Corporate Project Support - 1	92
Corporate Project Support - 2	111
Corporate Project Support - 3	157
Intern/ Coop	57
Senior Advisor	175

**Rates for In-House Services and Equipment****Mileage**

Standard IRS Rates

**Bulk Printing and Reproduction**

	<u>B&amp;W</u>	<u>Color</u>
Small Format (per copy)	\$0.10	\$0.25
Large Format (per sq. ft.)		
Bond	\$0.25	\$0.75
Glossy / Mylar	\$0.75	\$1.25
Vinyl / Adhesive	\$1.50	\$2.00
Mounting (per sq. ft.)	\$2.00	
Binding (per binding)	\$0.25	

**Equipment**

Valve Crew Vehicle (hour)	
Pressure Data Logger (each)	
Water Quality Meter (per day)	
Microscope (each)	
Pressure Recorder (per day)	
Ultrasonic Thickness Gauge (per day)	
Coating Inspection Kit (per day)	
Flushing / Cfactor (each)	
Backpack Electrofisher (each)	
<u>Survey Grade</u>	
Drone (per day)	\$200
GPS (per day)	\$150

**OTHER DIRECT EXPENSES:**

Other direct expenses are reimbursed at actual cost times a multiplier of 1.05. They include outside print reproduction expense, communication expense, travel, transportation and subsistence away from the FNI office. miscellaneous expenses directly related to the work, including costs of laboratory analysis, test, and other work that be done by independent persons other than staff members, these services will be billed at a cost times a multiplier of 2.0. This markup approximates the cost to FNI if an FNI employee was performing the same services.

**These rates will be adjusted annually in February.**

2022015

**CITY COUNCIL MEMORANDUM**

**City Council Meeting:** May 4, 2021

**Department:** City Secretary

**Subject:** Ordinance No. 21-T-18 - Consideration and/or action approving an Ordinance by the City Council of the City of Schertz, Texas authorizing an adjustment to the Fiscal Year 2020-2021 Budget to provide funding for professional services related to the relocation of water and wastewater utilities along FM 1518 between FM 78 and IH 10, repealing all ordinances or parts of ordinances in conflict with this ordinance; and providing an effective date. *Final reading* (B. James/K. Woodlee/E. Schulze)

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**BACKGROUND**

Part of the preparation for the widening of FM 1518 from FM 78 to IH 10 is the relocation of underground utilities so that they will not be beneath the pavement of the new roadway (with few exceptions like crossings). The City of Schertz has water and wastewater mains and appurtenances that must be relocated. A step in the process to relocate those utilities is to engage a Professional Engineering firm to provide services related to the design and construction phases of that project.

City Staff has worked with Halff Associates, Inc., to develop a scope for those services and a budget adjustment is needed to fund this portion of the project. Proposed ordinance 21-T-18 allocates \$600,000 for the professional services needed to assist the City with relocation of the utilities. That amount includes the consultant's fee and a contingency amount of approximately ten percent.

Construction of the utility relocations will be funded separately at a later time.

City Council approved this on first reading at their meeting on April 27, 2021.

**GOAL**

The goal of this ordinance is to amend the fiscal year 2020-2021 budget to provide funding for the design of City utility relocations necessitated by the proposed expansion of FM 1518.

**COMMUNITY BENEFIT**

Relocation of water and wastewater facilities along the FM 1518 corridor is necessary in order to maintain service to the southern portion of the City during and after the expansion of FM 1518 by TxDOT.

**SUMMARY OF RECOMMENDED ACTION**

Approval of Ordinance 21-T-18 authorizing the budget adjustment.

**FISCAL IMPACT**



This ordinance will allocate \$600,000 from the Water and Sewer Construction Reserve to engineering and professional services related to the relocation of utilities associated with the FM 1518 expansion project. As of March 31, 2021, the Water and Sewer Construction Reserve had an available (above the required 26% minimum) cash and investment balance for projects of \$700,000. After the \$600,000 allocation \$100,000 will remain available. This is consistent with the current five-year Water and Wastewater Capital Improvement Plan maintained by Public Works.

## **RECOMMENDATION**

Staff recommends approval of Ordinance 21-T-18 on final reading

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### **Attachments**

Ordinance 21-T-18

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## **ORDINANCE NO. 21-T-18**

**AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AUTHORIZING AN ADJUSTMENT TO THE FISCAL YEAR 2021 BUDGET TO PROVIDE FUNDING FOR PROFESSIONAL SERVICES RELATED TO THE RELOCATION OF WATER AND WASTEWATER UTILITIES ON FM 1518 FROM FM 78 TO IH 10, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE**

WHEREAS, pursuant to Ordinance 20-T-31, the City Council of Schertz, Texas, (the “City”) adopted the budget for the City for the fiscal year 2020-2021 (the “Budget”), which provides funding for the City’s operations throughout the 2020-2021 fiscal year; and

WHEREAS, the City needs to authorize a budget amount of \$600,000 for the purpose of contracting professional services and other associated expenses related to the relocation of water and wastewater utilities necessitated by the planned FM 1518 expansion project; and

WHEREAS, City staff recommends that the City Council of the City adjust the Budget and approve the ordinance; and

WHEREAS, the City Council of the City has determined that it is in the best interest of the City to adjust the Budget and approve the budget transfer for the FM 1518 Utility Relocation Project, as more fully set forth in this Ordinance.

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

Section 1. The City shall transfer a budget of \$600,000 from the Water and Sewer Construction Reserves to the FM 1518 Utility Relocation 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 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.

PASSED ON FIRST READING, the 27<sup>th</sup> day of April, 2021.

PASSED, APPROVED and ADOPTED ON SECOND READING, the 4<sup>th</sup> day of May, 2021.

CITY OF SCHERTZ, TEXAS

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Mayor

ATTEST:

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City Secretary

(CITY SEAL)

**CITY COUNCIL MEMORANDUM**

**City Council Meeting:** May 4, 2021  
**Department:** City Secretary  
**Subject:** Ordinance No. 21-T-17 - Consideration and/or action approving an ordinance by the City Council of the City of Schertz, Texas authorizing a budget adjustment to the FY 2020-21 Budget for electricity usage fees related to the Winter Storm, repealing all ordinances in conflict with this ordinance; and providing an effective date. (M. Browne/B. James/J. Walters) *Final Reading*

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**BACKGROUND**

The state had an unprecedented winter storm that left much of the state with freezing temperatures and power outages between February 10 and 20, 2021. During this time, the Electric Reliability Council of Texas (ERCOT) set the price of electricity at the \$9,000-a-megawatt-hour maximum for nearly two days due to high demand. This led to high electric costs to providers.

Due to the high electric costs, Guadalupe Valley Electric Cooperative (GVEC) must spread its costs for the winter storm to its customers. GVEC had a special fund balance that it spent down in order to avoid large swings in prices to its residential customers based on the prices ERCOT sets. Residential customers will see a small increase in their rates going forward as GVEC replenishes its emergency fund.

Commercial customers, like the City, have ERCOT's fee changes passed directly on to them. GVEC waited until they received their charges for power usage before assigning the charge to their commercial customers. Based on the calculation by GVEC, the City's outstanding charge for the winter storm is \$63,188.10.

For Fiscal Year 2019-20, the total payments to GVEC were \$460,038.51. This additional charge would be an estimated 13.7% increase in fees and staff is not confident the budget can account for those overages.

There could be an option to submit these charges for federal relief through a grant program and help offset some fiscal impact of this charge. Staff is waiting on clarification from the state to see if these charges are applicable for reimbursement.

GVEC has offered to let the city spread these charges over a 48-month maximum with a 2.33% financing charge on top of the balance. If the city pays off the entire portion upfront, there would be no additional charges.

Since these charges are for services within the current fiscal year, the city must recognize the entire expense on its financial statements even if it spreads out the payments over the next 4 years. Since the city does have enough cash on hand to pay the charge up front, Staff recommends paying the balance with the upcoming bill.

Staff wanted council's input before such a decision was made and has GVEC Chief Operating Officer Sean Alvarez to help answer any questions on the fee calculations.

City Council approved this on first reading indicating to pay the total amount of \$63,188.10 to GVEC.

## **GOAL**

To adjust the budget to compensate for the Winter Storm fiscal impact.

## **COMMUNITY BENEFIT**

By approving this adjustment, it will remove any downward service pressure on existing facility maintenance programs.

## **SUMMARY OF RECOMMENDED ACTION**

Staff recommends approval of Ordinance 21-T-17 on final reading.

## **FISCAL IMPACT**

As of September 30, 2020, the city's annual financial report has \$10,126,057 in the available fund balance which is \$750,000 over the required 26%.

## **RECOMMENDATION**

Approve Ordinance 21-T-17 and adjust the budget to recognize additional electrical utility fees due to the winter storm.

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### **Attachments**

Ordinance 21-T-17

Schertz Winter Freeze Charge

City of Schertz Hourly Data

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## **ORDINANCE NO. 21-T-17**

### **AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AUTHORIZING AN ADJUSTMENT TO THE FISCAL YEAR 2020-21 BUDGET, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE**

WHEREAS, pursuant to Ordinance 20-T-31, the City of Schertz (the “City”) adopted the budget for the City for the fiscal year 2020-2021 (the “Budget”), which provides funding for the City’s operations throughout the 2020-2021 fiscal year; and

WHEREAS, the state had an unprecedented winter storm that left much of the state with freezing temperatures from February 10 through 20, 2021; and

WHEREAS, the Electric Reliability Council of Texas set the price of electricity at \$9,000-a-megawatt-hour maximum for nearly two days during the event leading to high electric costs to providers;

WHEREAS, the Guadalupe Valley Electric Cooperative must spread its costs for the winter storm to its customers for the winter storm and has estimated it has under billed the City of Schertz by \$63,188.10; and

WHEREAS, the City needs to authorized budget amounts of \$63,188.00 from the Reserves for the electric charges generated during the winter storm from GVEC; and

WHEREAS, City staff recommends that the City Council of the City adjust the Budget and approve the ordinance; and

WHEREAS, the City Council of the City has determined that it is in the best interest of the City to adjust the Budget and approve the budget increase of \$63,188.00 as more fully set forth in this Ordinance.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS:**

Section 1. The City shall increase the electric utility budget by 63,118.00 to be funded from reserves.

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.

PASSED ON FIRST READING, the 27<sup>th</sup> day of April, 2021.

PASSED, APPROVED and ADOPTED ON SECOND READING, the 4<sup>th</sup> day of May, 2021.

CITY OF SCHERTZ, TEXAS

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Mayor

ATTEST:

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City Secretary

(CITY SEAL)



Customer Number	Customer Name
36044	CITY OF SCHERTZ

Lowest Monthly Invoice (12 mos)		Highest Monthly Invoice (12 mos)		Average Monthly Invoice (12 mos)	
kwh	amount	kwh	amt	kwh	amt
136800	\$ 8,512.78	260160	\$ 17,573.24	197080	\$ 13,204.48

3/1/21 Invoice	
Energy only	Total Bill
\$ 6,894.72	\$ 11,115.70

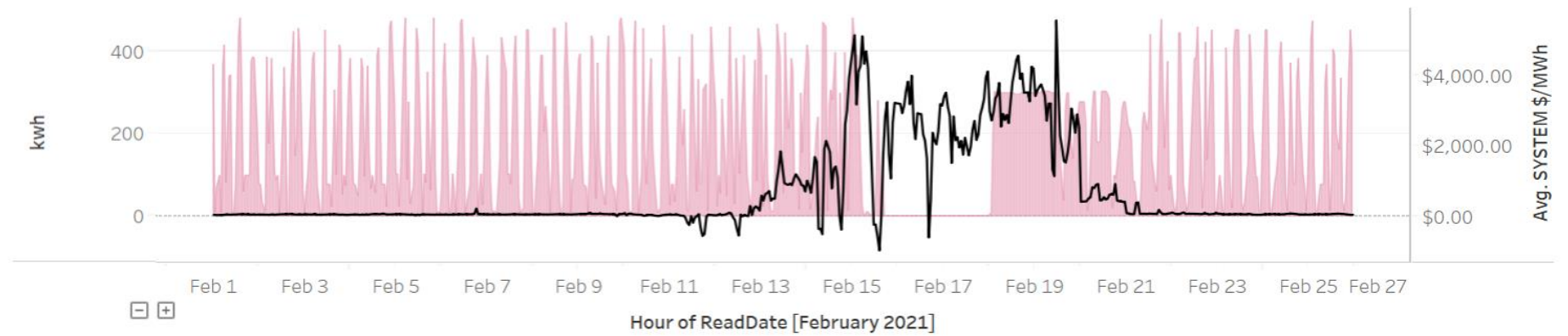
February 1 - 25			
kwh	Energy Amt	Energy Billed 3/1/21	Power Cost Recovery
109144.56	\$ 68,688.99	\$ 5,500.89	\$ 63,188.10

Amoritization Period	Monthly Adder Amt	Increase over Avg Bill
48	\$ 1,379.99	10.45%



Customer Number	Customer Name
36044	CITY OF SCHERTZ

## G4G5 Load





Hour of ReadDate	KWH	GVEC Blended Rate MW	CoS Hourly Cost
February 1, 2021 12 AM	366	\$46.80	\$17.12
February 1, 2021 1 AM	9	\$41.44	\$0.37
February 1, 2021 2 AM	67	\$40.43	\$2.72
February 1, 2021 3 AM	97	\$40.85	\$3.96
February 1, 2021 4 AM	9	\$43.35	\$0.39
February 1, 2021 5 AM	362	\$43.26	\$15.67
February 1, 2021 6 AM	415	\$55.59	\$23.05
February 1, 2021 7 AM	78	\$55.95	\$4.38
February 1, 2021 8 AM	337	\$51.24	\$17.25
February 1, 2021 9 AM	342	\$53.62	\$18.31
February 1, 2021 10 AM	9	\$55.54	\$0.49
February 1, 2021 11 AM	9	\$56.46	\$0.49
February 1, 2021 12 PM	66	\$58.32	\$3.86
February 1, 2021 1 PM	434	\$62.43	\$27.08
February 1, 2021 2 PM	478	\$64.41	\$30.79
February 1, 2021 3 PM	329	\$65.79	\$21.66
February 1, 2021 4 PM	58	\$64.58	\$3.71
February 1, 2021 5 PM	96	\$61.21	\$5.88
February 1, 2021 6 PM	98	\$62.56	\$6.13
February 1, 2021 7 PM	98	\$55.92	\$5.50
February 1, 2021 8 PM	372	\$55.00	\$20.45
February 1, 2021 9 PM	383	\$56.17	\$21.49
February 1, 2021 10 PM	381	\$52.46	\$19.98
February 1, 2021 11 PM	206	\$53.08	\$10.94
February 2, 2021 12 AM	75	\$53.89	\$4.03
February 2, 2021 1 AM	77	\$52.96	\$4.05
February 2, 2021 2 AM	31	\$53.03	\$1.66
February 2, 2021 3 AM	9	\$52.38	\$0.50
February 2, 2021 4 AM	383	\$49.57	\$19.00
February 2, 2021 5 AM	173	\$48.96	\$8.45
February 2, 2021 6 AM	261	\$55.57	\$14.49
February 2, 2021 7 AM	381	\$55.65	\$21.22
February 2, 2021 8 AM	101	\$47.95	\$4.82
February 2, 2021 9 AM	86	\$55.96	\$4.80
February 2, 2021 10 AM	97	\$59.03	\$5.73
February 2, 2021 11 AM	9	\$61.89	\$0.55
February 2, 2021 12 PM	99	\$62.82	\$6.24
February 2, 2021 1 PM	359	\$64.49	\$23.15
February 2, 2021 2 PM	218	\$67.58	\$14.70
February 2, 2021 3 PM	9	\$67.16	\$0.59
February 2, 2021 4 PM	9	\$65.67	\$0.59
February 2, 2021 5 PM	293	\$74.03	\$21.68
February 2, 2021 6 PM	447	\$58.51	\$26.16



Hour of ReadDate	KWH	GVEC Blended Rate MW	CoS Hourly Cost
February 2, 2021 7 PM	146	\$55.08	\$8.04
February 2, 2021 8 PM	188	\$56.65	\$10.66
February 2, 2021 9 PM	454	\$59.43	\$27.00
February 2, 2021 10 PM	401	\$56.99	\$22.85
February 2, 2021 11 PM	63	\$56.86	\$3.57
February 3, 2021 12 AM	9	\$61.26	\$0.54
February 3, 2021 1 AM	60	\$59.87	\$3.62
February 3, 2021 2 AM	97	\$57.95	\$5.60
February 3, 2021 3 AM	165	\$57.63	\$9.53
February 3, 2021 4 AM	380	\$56.61	\$21.53
February 3, 2021 5 AM	396	\$71.49	\$28.33
February 3, 2021 6 AM	190	\$51.95	\$9.89
February 3, 2021 7 AM	72	\$50.29	\$3.63
February 3, 2021 8 AM	9	\$51.61	\$0.46
February 3, 2021 9 AM	8	\$51.02	\$0.40
February 3, 2021 10 AM	241	\$54.38	\$13.12
February 3, 2021 11 AM	449	\$57.37	\$25.75
February 3, 2021 12 PM	77	\$58.60	\$4.48
February 3, 2021 1 PM	75	\$60.94	\$4.59
February 3, 2021 2 PM	21	\$60.20	\$1.27
February 3, 2021 3 PM	147	\$67.79	\$9.95
February 3, 2021 4 PM	306	\$63.17	\$19.31
February 3, 2021 5 PM	98	\$55.90	\$5.47
February 3, 2021 6 PM	412	\$50.86	\$20.97
February 3, 2021 7 PM	394	\$52.02	\$20.48
February 3, 2021 8 PM	51	\$50.66	\$2.57
February 3, 2021 9 PM	98	\$49.94	\$4.89
February 3, 2021 10 PM	73	\$45.52	\$3.31
February 3, 2021 11 PM	327	\$49.30	\$16.11
February 4, 2021 12 AM	380	\$52.88	\$20.08
February 4, 2021 1 AM	216	\$52.97	\$11.44
February 4, 2021 2 AM	76	\$56.18	\$4.27
February 4, 2021 3 AM	76	\$55.80	\$4.23
February 4, 2021 4 AM	48	\$53.46	\$2.56
February 4, 2021 5 AM	170	\$46.40	\$7.89
February 4, 2021 6 AM	380	\$53.77	\$20.45
February 4, 2021 7 AM	355	\$50.76	\$18.00
February 4, 2021 8 AM	93	\$56.75	\$5.28
February 4, 2021 9 AM	360	\$52.63	\$18.97
February 4, 2021 10 AM	150	\$57.68	\$8.65
February 4, 2021 11 AM	65	\$66.43	\$4.34
February 4, 2021 12 PM	98	\$68.68	\$6.70
February 4, 2021 1 PM	54	\$70.75	\$3.81



Hour of ReadDate	KWH	GVEC Blended Rate MW	CoS Hourly Cost
February 4, 2021 2 PM	386	\$68.34	\$26.41
February 4, 2021 3 PM	406	\$64.88	\$26.37
February 4, 2021 4 PM	255	\$65.90	\$16.83
February 4, 2021 5 PM	75	\$81.36	\$6.13
February 4, 2021 6 PM	75	\$66.20	\$5.00
February 4, 2021 7 PM	23	\$57.62	\$1.30
February 4, 2021 8 PM	175	\$58.13	\$10.15
February 4, 2021 9 PM	458	\$59.82	\$27.39
February 4, 2021 10 PM	472	\$60.31	\$28.47
February 4, 2021 11 PM	283	\$63.84	\$18.09
February 5, 2021 12 AM	101	\$65.74	\$6.62
February 5, 2021 1 AM	101	\$65.62	\$6.60
February 5, 2021 2 AM	23	\$66.63	\$1.50
February 5, 2021 3 AM	119	\$65.08	\$7.75
February 5, 2021 4 AM	404	\$62.34	\$25.19
February 5, 2021 5 AM	477	\$59.29	\$28.31
February 5, 2021 6 AM	86	\$56.83	\$4.89
February 5, 2021 7 AM	276	\$48.52	\$13.38
February 5, 2021 8 AM	30	\$56.35	\$1.72
February 5, 2021 9 AM	68	\$48.83	\$3.32
February 5, 2021 10 AM	186	\$35.24	\$6.56
February 5, 2021 11 AM	454	\$54.02	\$24.50
February 5, 2021 12 PM	420	\$38.85	\$16.30
February 5, 2021 1 PM	137	\$56.63	\$7.78
February 5, 2021 2 PM	9	\$58.90	\$0.52
February 5, 2021 3 PM	101	\$58.10	\$5.89
February 5, 2021 4 PM	79	\$56.80	\$4.51
February 5, 2021 5 PM	349	\$56.71	\$19.79
February 5, 2021 6 PM	63	\$55.16	\$3.48
February 5, 2021 7 PM	228	\$53.12	\$12.09
February 5, 2021 8 PM	477	\$52.58	\$25.10
February 5, 2021 9 PM	111	\$54.08	\$6.02
February 5, 2021 10 PM	8	\$53.41	\$0.45
February 5, 2021 11 PM	9	\$56.34	\$0.53
February 6, 2021 12 AM	74	\$54.38	\$4.02
February 6, 2021 1 AM	347	\$55.81	\$19.35
February 6, 2021 2 AM	418	\$57.04	\$23.84
February 6, 2021 3 AM	288	\$53.44	\$15.38
February 6, 2021 4 AM	9	\$52.26	\$0.46
February 6, 2021 5 AM	13	\$55.98	\$0.71
February 6, 2021 6 AM	100	\$59.83	\$6.01
February 6, 2021 7 AM	61	\$58.13	\$3.54
February 6, 2021 8 AM	8	\$57.83	\$0.49



Hour of ReadDate	KWH	GVEC Blended Rate MW	CoS Hourly Cost
February 6, 2021 9 AM	214	\$65.73	\$14.06
February 6, 2021 10 AM	467	\$62.54	\$29.19
February 6, 2021 11 AM	476	\$59.17	\$28.15
February 6, 2021 12 PM	367	\$63.53	\$23.32
February 6, 2021 1 PM	8	\$64.67	\$0.55
February 6, 2021 2 PM	50	\$63.37	\$3.19
February 6, 2021 3 PM	75	\$62.70	\$4.73
February 6, 2021 4 PM	332	\$64.44	\$21.42
February 6, 2021 5 PM	431	\$79.32	\$34.19
February 6, 2021 6 PM	353	\$224.44	\$79.30
February 6, 2021 7 PM	9	\$63.13	\$0.54
February 6, 2021 8 PM	63	\$70.79	\$4.47
February 6, 2021 9 PM	101	\$63.61	\$6.39
February 6, 2021 10 PM	26	\$64.66	\$1.70
February 6, 2021 11 PM	303	\$61.04	\$18.51
February 7, 2021 12 AM	387	\$61.78	\$23.93
February 7, 2021 1 AM	286	\$60.18	\$17.18
February 7, 2021 2 AM	86	\$57.82	\$4.97
February 7, 2021 3 AM	9	\$58.46	\$0.54
February 7, 2021 4 AM	9	\$58.28	\$0.55
February 7, 2021 5 AM	9	\$60.10	\$0.53
February 7, 2021 6 AM	71	\$61.62	\$4.37
February 7, 2021 7 AM	141	\$57.66	\$8.11
February 7, 2021 8 AM	432	\$54.97	\$23.77
February 7, 2021 9 AM	374	\$54.57	\$20.41
February 7, 2021 10 AM	353	\$55.63	\$19.64
February 7, 2021 11 AM	98	\$58.56	\$5.75
February 7, 2021 12 PM	100	\$61.25	\$6.12
February 7, 2021 1 PM	77	\$64.28	\$4.93
February 7, 2021 2 PM	387	\$64.57	\$24.97
February 7, 2021 3 PM	436	\$64.08	\$27.92
February 7, 2021 4 PM	275	\$61.23	\$16.83
February 7, 2021 5 PM	42	\$60.10	\$2.51
February 7, 2021 6 PM	8	\$58.29	\$0.46
February 7, 2021 7 PM	16	\$54.26	\$0.89
February 7, 2021 8 PM	254	\$58.51	\$14.86
February 7, 2021 9 PM	448	\$58.05	\$26.01
February 7, 2021 10 PM	448	\$56.96	\$25.50
February 7, 2021 11 PM	146	\$59.16	\$8.66
February 8, 2021 12 AM	9	\$60.57	\$0.53
February 8, 2021 1 AM	9	\$61.94	\$0.54
February 8, 2021 2 AM	75	\$61.67	\$4.64
February 8, 2021 3 AM	133	\$63.66	\$8.46



Hour of ReadDate	KWH	GVEC Blended Rate MW	CoS Hourly Cost
February 8, 2021 4 AM	387	\$62.33	\$24.11
February 8, 2021 5 AM	388	\$58.85	\$22.82
February 8, 2021 6 AM	202	\$58.39	\$11.77
February 8, 2021 7 AM	266	\$58.01	\$15.42
February 8, 2021 8 AM	204	\$57.52	\$11.72
February 8, 2021 9 AM	8	\$58.92	\$0.48
February 8, 2021 10 AM	109	\$60.62	\$6.61
February 8, 2021 11 AM	453	\$61.80	\$28.01
February 8, 2021 12 PM	453	\$64.46	\$29.22
February 8, 2021 1 PM	237	\$65.20	\$15.46
February 8, 2021 2 PM	38	\$65.71	\$2.49
February 8, 2021 3 PM	8	\$60.75	\$0.50
February 8, 2021 4 PM	10	\$62.56	\$0.65
February 8, 2021 5 PM	356	\$60.67	\$21.58
February 8, 2021 6 PM	467	\$60.42	\$28.21
February 8, 2021 7 PM	270	\$57.08	\$15.41
February 8, 2021 8 PM	9	\$57.03	\$0.49
February 8, 2021 9 PM	88	\$61.77	\$5.41
February 8, 2021 10 PM	90	\$62.06	\$5.56
February 8, 2021 11 PM	265	\$64.88	\$17.22
February 9, 2021 12 AM	380	\$68.03	\$25.83
February 9, 2021 1 AM	393	\$71.26	\$28.00
February 9, 2021 2 AM	166	\$66.90	\$11.10
February 9, 2021 3 AM	76	\$71.35	\$5.39
February 9, 2021 4 AM	68	\$70.61	\$4.81
February 9, 2021 5 AM	9	\$92.76	\$0.81
February 9, 2021 6 AM	134	\$97.36	\$13.05
February 9, 2021 7 AM	434	\$70.21	\$30.46
February 9, 2021 8 AM	424	\$75.80	\$32.12
February 9, 2021 9 AM	41	\$77.34	\$3.16
February 9, 2021 10 AM	370	\$71.19	\$26.33
February 9, 2021 11 AM	167	\$86.55	\$14.45
February 9, 2021 12 PM	98	\$72.27	\$7.09
February 9, 2021 1 PM	68	\$70.53	\$4.76
February 9, 2021 2 PM	26	\$69.42	\$1.80
February 9, 2021 3 PM	381	\$67.67	\$25.77
February 9, 2021 4 PM	436	\$62.78	\$27.36
February 9, 2021 5 PM	186	\$66.08	\$12.26
February 9, 2021 6 PM	76	\$67.43	\$5.10
February 9, 2021 7 PM	60	\$63.97	\$3.81
February 9, 2021 8 PM	9	\$7.76	\$0.07
February 9, 2021 9 PM	103	\$67.01	\$6.91
February 9, 2021 10 PM	467	\$65.98	\$30.83



Hour of ReadDate	KWH	GVEC Blended Rate MW	CoS Hourly Cost
February 9, 2021 11 PM	479	\$70.40	\$33.75
February 10, 2021 12 AM	406	\$96.09	\$39.03
February 10, 2021 1 AM	101	\$33.87	\$3.42
February 10, 2021 2 AM	80	\$77.34	\$6.19
February 10, 2021 3 AM	9	\$79.33	\$0.68
February 10, 2021 4 AM	9	\$65.79	\$0.61
February 10, 2021 5 AM	400	\$59.40	\$23.76
February 10, 2021 6 AM	470	\$53.70	\$25.26
February 10, 2021 7 AM	164	\$52.76	\$8.65
February 10, 2021 8 AM	9	\$51.85	\$0.46
February 10, 2021 9 AM	107	\$46.65	\$4.98
February 10, 2021 10 AM	454	\$20.25	\$9.19
February 10, 2021 11 AM	155	\$24.23	\$3.75
February 10, 2021 12 PM	76	\$46.64	\$3.53
February 10, 2021 1 PM	224	\$44.35	\$9.95
February 10, 2021 2 PM	382	\$48.00	\$18.31
February 10, 2021 3 PM	165	\$35.17	\$5.81
February 10, 2021 4 PM	100	\$22.53	\$2.26
February 10, 2021 5 PM	55	\$20.38	\$1.11
February 10, 2021 6 PM	9	\$12.64	\$0.11
February 10, 2021 7 PM	17	\$29.79	\$0.52
February 10, 2021 8 PM	268	\$38.08	\$10.20
February 10, 2021 9 PM	460	\$44.76	\$20.60
February 10, 2021 10 PM	388	\$51.71	\$20.08
February 10, 2021 11 PM	280	\$51.70	\$14.45
February 11, 2021 12 AM	24	\$58.77	\$1.42
February 11, 2021 1 AM	77	\$49.53	\$3.80
February 11, 2021 2 AM	76	\$48.95	\$3.74
February 11, 2021 3 AM	32	\$59.55	\$1.93
February 11, 2021 4 AM	97	\$49.41	\$4.81
February 11, 2021 5 AM	382	\$31.17	\$11.91
February 11, 2021 6 AM	229	\$21.96	\$5.03
February 11, 2021 7 AM	172	\$24.22	\$4.16
February 11, 2021 8 AM	256	(\$31.84)	(\$8.16)
February 11, 2021 9 AM	10	(\$174.78)	(\$1.70)
February 11, 2021 10 AM	16	(\$240.78)	(\$3.88)
February 11, 2021 11 AM	270	\$8.90	\$2.40
February 11, 2021 12 PM	439	(\$174.95)	(\$76.73)
February 11, 2021 1 PM	299	(\$21.60)	(\$6.46)
February 11, 2021 2 PM	58	\$9.28	\$0.54
February 11, 2021 3 PM	331	\$65.08	\$21.55
February 11, 2021 4 PM	76	(\$326.64)	(\$24.84)
February 11, 2021 5 PM	76	(\$549.43)	(\$41.91)





Hour of ReadDate	KWH	GVEC Blended Rate MW	CoS Hourly Cost
February 11, 2021 6 PM	303	(\$494.23)	(\$149.65)
February 11, 2021 7 PM	320	\$0.03	\$0.01
February 11, 2021 8 PM	12	\$52.80	\$0.61
February 11, 2021 9 PM	252	\$44.08	\$11.10
February 11, 2021 10 PM	456	\$39.63	\$18.06
February 11, 2021 11 PM	386	\$36.32	\$14.03
February 12, 2021 12 AM	255	\$30.81	\$7.86
February 12, 2021 1 AM	23	\$40.44	\$0.91
February 12, 2021 2 AM	98	\$69.27	\$6.82
February 12, 2021 3 AM	56	\$33.63	\$1.88
February 12, 2021 4 AM	282	\$51.04	\$14.42
February 12, 2021 5 AM	137	\$53.06	\$7.26
February 12, 2021 6 AM	47	\$79.55	\$3.77
February 12, 2021 7 AM	296	\$107.05	\$31.65
February 12, 2021 8 AM	455	\$88.69	\$40.38
February 12, 2021 9 AM	146	(\$21.52)	(\$3.14)
February 12, 2021 10 AM	28	(\$98.25)	(\$2.80)
February 12, 2021 11 AM	380	(\$346.70)	(\$131.77)
February 12, 2021 12 PM	272	(\$539.53)	(\$146.55)
February 12, 2021 1 PM	101	\$51.67	\$5.21
February 12, 2021 2 PM	283	\$4.33	\$1.22
February 12, 2021 3 PM	387	\$39.89	\$15.45
February 12, 2021 4 PM	219	\$24.33	\$5.33
February 12, 2021 5 PM	99	\$8.05	\$0.79
February 12, 2021 6 PM	60	\$295.10	\$17.75
February 12, 2021 7 PM	9	\$41.20	\$0.37
February 12, 2021 8 PM	272	\$240.23	\$65.23
February 12, 2021 9 PM	377	\$284.65	\$107.45
February 12, 2021 10 PM	84	\$246.71	\$20.66
February 12, 2021 11 PM	454	\$166.94	\$75.85
February 13, 2021 12 AM	394	\$589.66	\$232.18
February 13, 2021 1 AM	21	\$454.21	\$9.75
February 13, 2021 2 AM	145	\$634.42	\$91.78
February 13, 2021 3 AM	342	\$664.28	\$227.22
February 13, 2021 4 AM	92	\$720.68	\$66.18
February 13, 2021 5 AM	9	\$449.08	\$4.25
February 13, 2021 6 AM	10	\$508.02	\$4.90
February 13, 2021 7 AM	9	\$505.89	\$4.76
February 13, 2021 8 AM	219	\$1,003.42	\$219.63
February 13, 2021 9 AM	464	\$1,353.19	\$627.25
February 13, 2021 10 AM	380	\$1,845.86	\$701.10
February 13, 2021 11 AM	168	\$1,393.77	\$234.09
February 13, 2021 12 PM	53	\$949.80	\$50.65





Hour of ReadDate	KWH	GVEC Blended Rate MW	CoS Hourly Cost
February 13, 2021 1 PM	441	\$915.32	\$403.63
February 13, 2021 2 PM	211	\$897.77	\$189.22
February 13, 2021 3 PM	238	\$934.37	\$222.68
February 13, 2021 4 PM	380	\$888.55	\$337.62
February 13, 2021 5 PM	352	\$1,074.90	\$378.86
February 13, 2021 6 PM	81	\$1,194.96	\$96.48
February 13, 2021 7 PM	101	\$1,117.11	\$113.25
February 13, 2021 8 PM	16	\$1,030.49	\$16.27
February 13, 2021 9 PM	297	\$891.78	\$264.97
February 13, 2021 10 PM	153	\$876.40	\$134.07
February 13, 2021 11 PM	285	\$710.74	\$202.48
February 14, 2021 12 AM	413	\$1,015.50	\$418.91
February 14, 2021 1 AM	381	\$878.43	\$334.87
February 14, 2021 2 AM	14	\$671.37	\$9.47
February 14, 2021 3 AM	36	\$1,099.43	\$39.47
February 14, 2021 4 AM	77	\$1,686.88	\$130.04
February 14, 2021 5 AM	210	\$1,560.15	\$328.01
February 14, 2021 6 AM	239	(\$351.49)	(\$84.14)
February 14, 2021 7 AM	10	(\$348.28)	(\$3.36)
February 14, 2021 8 AM	99	(\$501.47)	(\$49.47)
February 14, 2021 9 AM	468	\$1,911.78	\$895.27
February 14, 2021 10 AM	457	\$2,143.13	\$979.53
February 14, 2021 11 AM	9	\$1,982.11	\$18.65
February 14, 2021 12 PM	260	\$1,823.75	\$473.94
February 14, 2021 1 PM	303	\$797.75	\$241.85
February 14, 2021 2 PM	279	\$1,350.37	\$377.37
February 14, 2021 3 PM	394	\$1,417.47	\$558.05
February 14, 2021 4 PM	175	\$1,115.81	\$195.81
February 14, 2021 5 PM	37	\$40.53	\$1.51
February 14, 2021 6 PM	296	(\$372.40)	(\$110.16)
February 14, 2021 7 PM	77	\$707.44	\$54.37
February 14, 2021 8 PM	395	\$2,617.17	\$1,033.63
February 14, 2021 9 PM	205	\$2,999.77	\$615.12
February 14, 2021 10 PM	11	\$3,917.85	\$41.18
February 14, 2021 11 PM	237	\$4,359.98	\$1,033.42
February 15, 2021 12 AM	479	\$4,755.51	\$2,280.13
February 15, 2021 1 AM	434	\$5,142.70	\$2,230.04
February 15, 2021 2 AM	388	\$3,178.48	\$1,233.66
February 15, 2021 3 AM	389	\$4,118.10	\$1,602.70
February 15, 2021 4 AM	271	\$4,262.24	\$1,156.53
February 15, 2021 5 AM	25	\$5,112.97	\$128.36
February 15, 2021 6 AM	1	\$4,334.34	\$5.41
February 15, 2021 7 AM	4	\$4,686.07	\$18.44



Hour of ReadDate	KWH	GVEC Blended Rate MW	CoS Hourly Cost
February 15, 2021 8 AM	10	\$4,210.28	\$41.63
February 15, 2021 10 AM	0	\$1,321.12	\$0.00
February 15, 2021 11 AM	8	(\$227.92)	(\$1.74)
February 15, 2021 12 PM	4	(\$227.95)	(\$0.97)
February 15, 2021 1 PM	105	(\$574.47)	(\$60.06)
February 15, 2021 2 PM	278	(\$961.57)	(\$267.33)
February 15, 2021 3 PM	0	\$28.57	\$0.00
February 15, 2021 4 PM	157	\$1,766.93	\$277.17
February 15, 2021 5 PM	0	\$2,834.91	\$0.00
February 15, 2021 6 PM	0	\$3,240.79	\$0.00
February 15, 2021 7 PM	0	\$1,756.78	\$0.00
February 15, 2021 8 PM	0	\$1,079.28	\$0.00
February 15, 2021 9 PM	0	\$2,658.88	\$0.00
February 15, 2021 10 PM	0	\$3,222.30	\$0.00
February 16, 2021 1 AM	0	\$3,196.23	\$0.00
February 16, 2021 2 AM	0	\$2,935.20	\$0.00
February 16, 2021 3 AM	0	\$3,148.39	\$0.00
February 16, 2021 4 AM	0	\$3,563.46	\$0.00
February 16, 2021 5 AM	0	\$3,827.51	\$0.00
February 16, 2021 6 AM	0	\$3,187.84	\$0.00
February 16, 2021 7 AM	0	\$3,995.90	\$0.00
February 16, 2021 8 AM	0	\$2,648.86	\$0.00
February 16, 2021 9 AM	0	\$2,196.30	\$0.00
February 16, 2021 10 AM	0	\$2,929.17	\$0.00
February 16, 2021 11 AM	0	\$2,912.12	\$0.00
February 16, 2021 12 PM	0	\$2,904.64	\$0.00
February 16, 2021 1 PM	0	\$2,333.92	\$0.00
February 16, 2021 2 PM	0	\$2,149.86	\$0.00
February 16, 2021 3 PM	0	\$1,638.78	\$0.00
February 16, 2021 4 PM	0	(\$592.18)	\$0.00
February 16, 2021 5 PM	0	\$445.53	\$0.00
February 16, 2021 6 PM	0	\$2,374.94	\$0.00
February 16, 2021 7 PM	0	\$2,151.49	\$0.00
February 16, 2021 8 PM	0	\$2,048.19	\$0.00
February 16, 2021 9 PM	0	\$2,424.68	\$0.00
February 16, 2021 10 PM	0	\$3,187.22	\$0.00
February 16, 2021 11 PM	0	\$3,149.42	\$0.00
February 17, 2021 12 AM	0	\$3,408.84	\$0.00
February 17, 2021 1 AM	0	\$3,515.22	\$0.00
February 17, 2021 2 AM	0	\$3,101.23	\$0.00
February 17, 2021 3 AM	0	\$2,847.30	\$0.00
February 17, 2021 4 AM	0	\$1,521.04	\$0.00
February 17, 2021 5 AM	0	\$2,838.26	\$0.00



Hour of ReadDate	KWH	GVEC Blended Rate MW	CoS Hourly Cost
February 17, 2021 6 AM	0	\$2,165.79	\$0.00
February 17, 2021 7 AM	0	\$2,248.46	\$0.00
February 17, 2021 8 AM	0	\$1,959.97	\$0.00
February 17, 2021 9 AM	0	\$2,144.08	\$0.00
February 17, 2021 10 AM	0	\$1,754.66	\$0.00
February 17, 2021 11 AM	0	\$2,233.64	\$0.00
February 17, 2021 1 PM	0	\$1,735.86	\$0.00
February 17, 2021 2 PM	0	\$1,974.67	\$0.00
February 17, 2021 3 PM	0	\$2,462.37	\$0.00
February 17, 2021 4 PM	0	\$2,712.81	\$0.00
February 17, 2021 5 PM	0	\$2,172.32	\$0.00
February 17, 2021 6 PM	0	\$2,325.67	\$0.00
February 17, 2021 7 PM	0	\$2,881.35	\$0.00
February 17, 2021 8 PM	0	\$3,076.02	\$0.00
February 17, 2021 9 PM	0	\$3,321.72	\$0.00
February 17, 2021 10 PM	0	\$3,943.17	\$0.00
February 17, 2021 11 PM	0	\$4,114.25	\$0.00
February 18, 2021 12 AM	1	\$2,993.63	\$2.87
February 18, 2021 1 AM	7	\$2,726.93	\$19.63
February 18, 2021 2 AM	195	\$2,961.47	\$578.84
February 18, 2021 3 AM	300	\$3,351.54	\$1,006.43
February 18, 2021 4 AM	296	\$3,452.38	\$1,020.80
February 18, 2021 5 AM	296	\$3,786.89	\$1,120.80
February 18, 2021 6 AM	296	\$2,551.47	\$755.52
February 18, 2021 7 AM	296	\$2,910.25	\$861.06
February 18, 2021 8 AM	296	\$2,739.13	\$809.78
February 18, 2021 9 AM	296	\$2,882.29	\$852.37
February 18, 2021 10 AM	295	\$2,652.15	\$783.42
February 18, 2021 11 AM	295	\$3,261.51	\$963.74
February 18, 2021 12 PM	295	\$3,814.07	\$1,126.46
February 18, 2021 1 PM	295	\$4,111.32	\$1,214.85
February 18, 2021 2 PM	294	\$4,434.21	\$1,305.79
February 18, 2021 3 PM	295	\$4,563.35	\$1,345.13
February 18, 2021 4 PM	295	\$3,903.35	\$1,150.77
February 18, 2021 5 PM	296	\$4,056.98	\$1,200.35
February 18, 2021 6 PM	296	\$3,513.27	\$1,041.16
February 18, 2021 7 PM	296	\$3,518.08	\$1,043.10
February 18, 2021 8 PM	297	\$3,525.16	\$1,046.04
February 18, 2021 9 PM	296	\$3,267.82	\$968.74
February 18, 2021 10 PM	297	\$4,247.92	\$1,262.75
February 18, 2021 11 PM	298	\$4,202.48	\$1,251.26
February 19, 2021 12 AM	298	\$3,421.95	\$1,019.36
February 19, 2021 1 AM	298	\$3,573.15	\$1,065.60



Hour of ReadDate	KWH	GVEC Blended Rate MW	CoS Hourly Cost
February 19, 2021 2 AM	298	\$3,673.33	\$1,094.94
February 19, 2021 3 AM	299	\$3,746.63	\$1,119.13
February 19, 2021 4 AM	299	\$3,602.45	\$1,077.28
February 19, 2021 5 AM	299	\$3,418.46	\$1,022.75
February 19, 2021 6 AM	299	\$2,719.20	\$813.41
February 19, 2021 7 AM	299	\$3,203.84	\$958.69
February 19, 2021 8 AM	299	\$3,206.59	\$958.90
February 19, 2021 9 AM	299	\$1,341.50	\$400.78
February 19, 2021 10 AM	298	\$1,145.66	\$341.22
February 19, 2021 11 AM	298	\$5,560.54	\$1,655.88
February 19, 2021 12 PM	297	\$3,802.39	\$1,130.86
February 19, 2021 1 PM	194	\$2,304.92	\$447.63
February 19, 2021 2 PM	122	\$1,964.66	\$240.47
February 19, 2021 3 PM	36	\$1,574.94	\$57.15
February 19, 2021 4 PM	258	\$1,532.28	\$395.25
February 19, 2021 5 PM	296	\$1,810.92	\$536.50
February 19, 2021 6 PM	297	\$2,245.19	\$667.85
February 19, 2021 7 PM	201	\$3,062.84	\$614.68
February 19, 2021 8 PM	136	\$2,758.56	\$375.39
February 19, 2021 9 PM	244	\$2,378.76	\$580.38
February 19, 2021 10 PM	209	\$2,897.71	\$605.32
February 19, 2021 11 PM	245	\$2,531.90	\$620.66
February 20, 2021 12 AM	276	\$418.70	\$115.62
February 20, 2021 1 AM	277	\$422.84	\$117.05
February 20, 2021 2 AM	276	\$426.80	\$117.92
February 20, 2021 3 AM	229	\$429.85	\$98.48
February 20, 2021 4 AM	10	\$515.32	\$5.34
February 20, 2021 5 AM	32	\$544.03	\$17.52
February 20, 2021 6 AM	249	\$828.34	\$206.20
February 20, 2021 7 AM	300	\$806.28	\$242.23
February 20, 2021 8 AM	300	\$902.20	\$271.05
February 20, 2021 9 AM	176	\$920.22	\$161.88
February 20, 2021 10 AM	177	\$458.02	\$80.95
February 20, 2021 11 AM	299	\$462.44	\$138.44
February 20, 2021 12 PM	299	\$545.95	\$163.42
February 20, 2021 1 PM	300	\$482.23	\$144.81
February 20, 2021 2 PM	300	\$504.41	\$151.44
February 20, 2021 3 PM	281	\$617.53	\$173.37
February 20, 2021 4 PM	66	\$634.18	\$42.13
February 20, 2021 5 PM	16	\$615.45	\$10.07
February 20, 2021 6 PM	99	\$919.31	\$90.81
February 20, 2021 7 PM	91	\$452.16	\$41.24
February 20, 2021 8 PM	163	\$431.10	\$70.33



Hour of ReadDate	KWH	GVEC Blended Rate MW	CoS Hourly Cost
February 20, 2021 9 PM	208	\$435.51	\$90.70
February 20, 2021 10 PM	258	\$413.21	\$106.59
February 20, 2021 11 PM	276	\$419.40	\$115.71
February 21, 2021 12 AM	277	\$93.35	\$25.84
February 21, 2021 1 AM	219	\$92.37	\$20.19
February 21, 2021 2 AM	210	\$67.60	\$14.17
February 21, 2021 3 AM	188	\$68.27	\$12.83
February 21, 2021 4 AM	84	\$68.90	\$5.80
February 21, 2021 5 AM	82	\$386.53	\$31.60
February 21, 2021 6 AM	10	\$398.43	\$3.98
February 21, 2021 7 AM	10	\$75.15	\$0.74
February 21, 2021 8 AM	53	\$73.13	\$3.85
February 21, 2021 9 AM	225	\$80.16	\$18.03
February 21, 2021 10 AM	251	\$70.65	\$17.73
February 21, 2021 11 AM	208	\$77.47	\$16.11
February 21, 2021 12 PM	239	\$80.10	\$19.14
February 21, 2021 1 PM	440	\$78.72	\$34.61
February 21, 2021 2 PM	136	\$77.39	\$10.52
February 21, 2021 3 PM	76	\$72.80	\$5.54
February 21, 2021 4 PM	56	\$70.58	\$3.97
February 21, 2021 5 PM	174	\$187.46	\$32.68
February 21, 2021 6 PM	392	\$109.92	\$43.05
February 21, 2021 7 PM	473	\$68.35	\$32.35
February 21, 2021 8 PM	165	\$67.42	\$11.10
February 21, 2021 9 PM	266	\$70.57	\$18.77
February 21, 2021 10 PM	372	\$87.72	\$32.65
February 21, 2021 11 PM	60	\$89.51	\$5.37
February 22, 2021 12 AM	99	\$110.30	\$10.93
February 22, 2021 1 AM	18	\$89.97	\$1.62
February 22, 2021 2 AM	10	\$69.34	\$0.72
February 22, 2021 3 AM	44	\$72.67	\$3.21
February 22, 2021 4 AM	441	\$69.98	\$30.85
February 22, 2021 5 AM	442	\$97.12	\$42.89
February 22, 2021 6 AM	77	\$113.71	\$8.77
February 22, 2021 7 AM	46	\$74.99	\$3.45
February 22, 2021 8 AM	10	\$78.01	\$0.78
February 22, 2021 9 AM	28	\$78.80	\$2.21
February 22, 2021 10 AM	101	\$77.35	\$7.82
February 22, 2021 11 AM	290	\$77.32	\$22.39
February 22, 2021 12 PM	381	\$75.60	\$28.82
February 22, 2021 1 PM	381	\$73.88	\$28.14
February 22, 2021 2 PM	458	\$70.14	\$32.12
February 22, 2021 3 PM	191	\$68.08	\$12.98



Hour of ReadDate	KWH	GVEC Blended Rate MW	CoS Hourly Cost
February 22, 2021 4 PM	17	\$68.18	\$1.16
February 22, 2021 5 PM	86	\$93.90	\$8.09
February 22, 2021 6 PM	420	\$80.49	\$33.84
February 22, 2021 7 PM	135	\$62.18	\$8.39
February 22, 2021 8 PM	332	\$64.02	\$21.28
February 22, 2021 9 PM	449	\$67.51	\$30.32
February 22, 2021 10 PM	318	\$72.22	\$22.95
February 22, 2021 11 PM	10	\$104.74	\$1.07
February 23, 2021 12 AM	10	\$79.60	\$0.81
February 23, 2021 1 AM	98	\$79.86	\$7.80
February 23, 2021 2 AM	67	\$63.32	\$4.24
February 23, 2021 3 AM	10	\$63.58	\$0.63
February 23, 2021 4 AM	10	\$62.55	\$0.65
February 23, 2021 5 AM	405	\$60.74	\$24.58
February 23, 2021 6 AM	145	\$65.19	\$9.47
February 23, 2021 7 AM	44	\$61.60	\$2.70
February 23, 2021 8 AM	18	\$65.95	\$1.19
February 23, 2021 9 AM	402	\$67.83	\$27.25
February 23, 2021 10 AM	448	\$67.67	\$30.29
February 23, 2021 11 AM	448	\$66.13	\$29.63
February 23, 2021 12 PM	294	\$66.27	\$19.51
February 23, 2021 1 PM	33	\$64.19	\$2.10
February 23, 2021 2 PM	10	\$58.78	\$0.58
February 23, 2021 3 PM	36	\$59.72	\$2.16
February 23, 2021 4 PM	128	\$72.57	\$9.30
February 23, 2021 5 PM	440	\$72.10	\$31.72
February 23, 2021 6 PM	382	\$54.51	\$20.80
February 23, 2021 7 PM	212	\$51.28	\$10.87
February 23, 2021 8 PM	99	\$50.27	\$4.98
February 23, 2021 9 PM	90	\$47.82	\$4.29
February 23, 2021 10 PM	10	\$47.88	\$0.46
February 23, 2021 11 PM	10	\$53.07	\$0.55
February 24, 2021 12 AM	163	\$57.54	\$9.39
February 24, 2021 1 AM	449	\$66.14	\$29.67
February 24, 2021 2 AM	449	\$62.68	\$28.17
February 24, 2021 3 AM	227	\$65.75	\$14.96
February 24, 2021 4 AM	10	\$65.48	\$0.66
February 24, 2021 5 AM	10	\$66.03	\$0.65
February 24, 2021 6 AM	78	\$72.81	\$5.68
February 24, 2021 7 AM	102	\$60.29	\$6.12
February 24, 2021 8 AM	149	\$62.70	\$9.33
February 24, 2021 9 AM	380	\$62.29	\$23.70
February 24, 2021 10 AM	421	\$60.85	\$25.59





Hour of ReadDate	KWH	GVEC Blended Rate MW	CoS Hourly Cost
February 24, 2021 11 AM	236	\$62.24	\$14.70
February 24, 2021 12 PM	50	\$74.72	\$3.76
February 24, 2021 1 PM	10	\$75.80	\$0.73
February 24, 2021 2 PM	142	\$83.61	\$11.88
February 24, 2021 3 PM	370	\$80.45	\$29.75
February 24, 2021 4 PM	76	\$79.76	\$6.06
February 24, 2021 5 PM	76	\$69.10	\$5.27
February 24, 2021 6 PM	333	\$66.59	\$22.15
February 24, 2021 7 PM	382	\$52.73	\$20.15
February 24, 2021 8 PM	257	\$54.86	\$14.07
February 24, 2021 9 PM	102	\$54.02	\$5.49
February 24, 2021 10 PM	67	\$57.59	\$3.88
February 24, 2021 11 PM	10	\$53.76	\$0.55
February 25, 2021 12 AM	102	\$55.26	\$5.62
February 25, 2021 1 AM	429	\$56.52	\$24.25
February 25, 2021 2 AM	471	\$60.09	\$28.31
February 25, 2021 3 AM	115	\$62.35	\$7.17
February 25, 2021 4 AM	10	\$62.09	\$0.65
February 25, 2021 5 AM	11	\$66.97	\$0.72
February 25, 2021 6 AM	78	\$66.34	\$5.14
February 25, 2021 7 AM	77	\$60.45	\$4.67
February 25, 2021 8 AM	77	\$63.53	\$4.91
February 25, 2021 9 AM	325	\$64.31	\$20.90
February 25, 2021 10 AM	367	\$63.07	\$23.15
February 25, 2021 11 AM	10	\$63.86	\$0.61
February 25, 2021 12 PM	78	\$71.00	\$5.53
February 25, 2021 1 PM	403	\$75.00	\$30.25
February 25, 2021 2 PM	389	\$73.74	\$28.68
February 25, 2021 3 PM	198	\$79.59	\$15.77
February 25, 2021 4 PM	158	\$78.13	\$12.36
February 25, 2021 5 PM	332	\$73.45	\$24.38
February 25, 2021 6 PM	38	\$72.03	\$2.73
February 25, 2021 7 PM	10	\$63.19	\$0.61
February 25, 2021 8 PM	42	\$60.45	\$2.52
February 25, 2021 9 PM	352	\$50.27	\$17.72
February 25, 2021 10 PM	448	\$45.24	\$20.28
February 25, 2021 11 PM	388	\$47.69	\$18.50
Grand Total	109,145	\$643.41	\$68,688.99

**CITY COUNCIL MEMORANDUM**

**City Council Meeting:** May 4, 2021  
**Department:** Engineering  
**Subject:** Resolution No. 21-R-37– Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas, authorizing the City Manager to enter into an agreement with Halff Associates, Inc., for design, bid, and construction phase engineering services for the FM 1518 Water and Wastewater Utility Relocation project in advance of the FM 1518 road widening project.  
(B.James/K.Woodlee/E. Schulze)

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**BACKGROUND**

The Texas Department of Transportation (TxDOT) is working on a project to widen the right of way and paving of FM 1518 from FM 78 to IH 10 in the City of Schertz. Citizens of Schertz passed a bond measure in 2015 to provide \$5 million of funding toward the roadway expansion project. City Council pledged an additional \$5 million for the project by Resolution 17-R-108 and authorized a Fixed Price Agreement for \$600,656 to contribute funds for the acquisition of right of way in association with the project.

Before the roadway improvements enter the construction phase, most utilities (including City water and wastewater facilities) must be relocated outside of the ultimate pavement section. The relocation of City facilities that are currently within the existing TxDOT right of way are not eligible to be considered part of the TxDOT project and their relocations are therefore the responsibility of the City.

Halff Associates, Inc., one of the City's on call Engineers, is familiar with the location and operation of City utilities on FM 1518 and has experience with City utility relocation projects along TxDOT roadways and is fully equipped to provide these services to the City.

**GOAL**

The goal of Resolution 21-R-37 is to authorize an agreement with Halff Associates to complete the required design services required to relocate water and wastewater lines prior to the construction phase of TxDOT's FM 1518 road widening project. The authorization includes the contract base amount of \$548,370 with a not to exceed expenditure amount of \$600,000.

**COMMUNITY BENEFIT**

The relocation of these lines will ensure the City utilities are provided in an alignment that allows adequate space for future maintenance.

**SUMMARY OF RECOMMENDED ACTION**

Staff recommends that the City Council approve Resolution 21-R-37, authorizing a project agreement with Halff Associates, Inc., for design, bid, and construction phase engineering services for water and wastewater relocations in advance of the FM 1518 roadway widening project.

**FISCAL IMPACT**



Funding for the design work has been allocated from the City's Water and Sewer Construction Reserves. Funding for the construction of the utility relocations will be handled separately and is currently estimated to be \$5 million. The authorization includes the contract base amount of \$548,370 with a not to exceed expenditure amount of \$600,000.

## **RECOMMENDATION**

Staff recommends that the City Council approve Resolution 21-R-37, authorizing a project agreement with Halff Associates, Inc., for design, bid, and construction phase engineering services for water and wastewater relocations in advance of the FM 1518 roadway widening project.

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### **Attachments**

Resolution No. 21-R-37

Exhibit A - Project Agreement

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## **RESOLUTION NO. 21-R-37**

### **A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH HALFF ASSOCIATES, INC., FOR DESIGN, BID, AND CONSTRUCTION PHASE ENGINEERING SERVICES FOR THE FM 1518 WATER AND WASTEWATER UTILITY RELOCATION PROJECT IN ADVANCE OF THE TXDOT FM 1518 ROAD WIDENING PROJECT, AND OTHER MATTERS IN CONNECTION THEREWITH**

WHEREAS, the City staff of the City of Schertz (the "City") has recommended that the City enter into an agreement for design, bid, and construction phase engineering services for the FM 1518 water and wastewater facilities relocation project in advance of the TxDOT FM 1518 road widening project; and

WHEREAS, City staff has determined that Halff Associates, Inc., is uniquely qualified to provide such services for the City; and

WHEREAS, Halff Associates, Inc., is an approved On-Call Engineering Firm for the City of Schertz; and

WHEREAS, the City Council has determined that it is in the best interest of the City to contract with Halff Associates, Inc., for the design, bid, and construction phase services for the FM 1518 Utility Relocation project as described in the Project Agreement attached hereto (the "Agreement").

**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 and deliver the Agreement with Halff Associates, Inc., in substantially the form set forth on Exhibit A for an amount of \$548,370 and to execute further amendments as necessary not to exceed a total expenditure amount of \$600,000.

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 4th day of May, 2021.

CITY OF SCHERTZ, TEXAS

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Ralph Gutierrez, Mayor

ATTEST:

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Brenda Dennis, City Secretary

(CITY SEAL)

**EXHIBIT A**  
**PROJECT AGREEMENT**

## Task Order

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In accordance with Paragraph 1.01 of the Agreement Between Owner and Engineer for Professional Services – Task Order Edition, dated October 17, 2019 ("Agreement"), Owner and Engineer agree as follows:

### 1. Background Data

- a. Effective Date of Task Order: TBD
- b. Owner: City of Schertz
- c. Engineer: Halff Associates, Inc.
- d. FM 1518 Utility Relocations
- e. Specific Project (description):
  - TxDOT is currently under design for widening of FM 1518 from FM 78 to IH-10 E, which is approximately 5.58 miles, to add lanes.
  - Relocate approximately 27,045 feet of water lines ranging in sizes from 6-inch to 18-inch diameter. All other City of Schertz water lines and services smaller than 6-inch in diameter and within TxDOT construction limits are included in this scope of work.
  - Relocate approximately 2,768 feet of wastewater lines sizes 8- and 10-inch in diameter. All wastewater service relocations within TxDOT construction limits are included in this scope of work.

### 2. Services of Engineer

- A. The specific services to be provided or furnished by Engineer under this Task Order are as follows:

### PROJECT ASSUMPTIONS

- Contract for utility relocations will be between Halff and the City of Schertz
- TxDOT will reimburse partial cost to City of Schertz
- The roadway improvements are planned to be let for bidding in September 2022
- Utility conflict mitigation limits for the City of Schertz are from FM 78 to IH-10 E (CSJ: 0465-02-027)

- Utility relocation PS&E will be prepared and included as part of the Bexar County FM 1518 Project CCSJ #0465-02-027. TxDOT online utility review of the relocation plans is not included with this scope of services. If online submittal and review of the plans will be required by TxDOT, a supplemental service agreement will be executed
- Special Specification will be administratively approved by TxDOT for modifications necessary for the proposed FM 1518 water and wastewater main improvements.

### **PHASE 1 – Project Management and Coordination**

- a) Engineer will manage the design team schedule and budgets, including sub-consultants (if applicable), and maintain project records contracts in accordance with the agreement.
- b) Engineer will prepare monthly invoices in a format acceptable to the city along with a progress report of activities accomplished during the period.
- c) Participate in bi-weekly coordination meetings with city staff to discuss project updates and address conflicts.

**Deliverables** – Monthly Progress Reports, Meeting Minutes

### **PHASE 2 – Data Collection and Review**

#### **Task 1 – Data Acquisition**

Halff will review existing record drawing and existing easement information obtained from the City including but not limited to:

- a) As-built records for all available City water and wastewater within the area of study.
- b) Existing plat and separate instrument easement documents recorded with the Schertz and Bexar Counties.
- c) Pending development plans with anticipated connections or easement dedications to the City of Schertz.

#### **Task 2 – Subsurface Utility Engineering and Utility Coordination**

- a) Provide up to fifteen (15) SUE quality level 'A' test holes at locations of potential conflict as identified through the preliminary conflict analysis process for FM 1518. Consultant will provide a map of proposed test holes to the City for review and approval prior to beginning any field work.
- b) Perform conflict analysis with proposed improvements.

#### **Task 3 – Topographic Survey (as needed)**

- a) Perform field survey required collect supplemental site topography information needed in the design of the project; establish or locate at least two Benchmarks within the job site. Provide necessary number of control points on the ground for the Project and ensuring horizontal and vertical control correspond with the design plans.

**Deliverables** –SUE test hole data sheets, meeting minutes

**PHASE 3 – Preliminary Design (30%)**

- a) Based upon the information from Phase 2, Tasks 1 & 2, Halff will investigate possible design alternatives for each identified conflict.
- b) Halff will include a preliminary Engineer's Opinion of Probable Construction cost for the identified conflicts and mitigation.
- c) Halff will present the mitigation alternatives to the City of Schertz for review and direction on how to proceed with formal utility relocation design.

**Deliverables** –30% submittals of plans, conflict matrix and opinion of probable construction cost

**PHASE 4 – Utility Design** – Based on direction from City as a result of Task 3, Halff shall develop plans, specifications, and estimate (PS&E) to be incorporated into construction documents for use in bidding and constructing of the TxDOT initiated FM 1518 project. Plans will be prepared and submitted to the City of Schertz and TxDOT to coincide with the 60%, 95%, and Bid phase submittals. The final design will consist of the following tasks and is based on the assumptions below:

- Utility design will in accordance with the following manuals and standards:
  - Modified Special Specification incorporating City of Schertz standards and approved by TxDOT as part of the current FM 1518 joint bid project
  - City of Schertz standards and specifications relative to water and wastewater mains
  - Texas Commission on Environmental Quality (TCEQ)
- Utility relocation design will be submitted for review and approval by TxDOT
- TxDOT approved utility relocation design will be incorporated into the FM 1518 construction drawings

**Task 1 - 60% PS&E Documents**

1. The 60% PS&E construction plan set shall consist of the following:
  - a) Utility general notes
  - b) Demo and Removal plan
  - c) Review of TxDOT's construction traffic control plan and phasing
  - d) Water plan on plan sheets
  - e) Wastewater plan/profile sheets
  - f) Wastewater bypass plan
  - g) Standard and project specific details
2. Prepare draft technical specifications for the water and wastewater utility relocations for the FM 1518 project. TxDOT Special Specifications will be modified and provided to the City and TxDOT for administrative approval. Such modified special specifications are anticipated to be utilized to supplement TxDOT general conditions.
3. Prepare a 60% opinion of probable construction costs (OPCC)

## **Task 2 - 95% and Bid Set PS&E Documents**

1. The 95% PS&E construction plan shall consist of the following:
  - a) Incorporate City of Schertz and TxDOT review comments on the 60% submittal.
  - b) Prepare any additional sheets required that were not included in the 60% submittal phase.
  - c) Revise technical specifications for the water and wastewater utility relocations associated with the FM 1518 project. TxDOT Special Specifications will be modified and provided to the City and TxDOT for administrative approval. Such modified special specifications are anticipated to be utilized to supplement TxDOT general conditions.
  - d) Prepare a 95% opinion of probable construction costs (OPCC)

## **Task 3- Bid Construction Documents**

- a) Incorporate City of Schertz and TxDOT review comments on the 95% submittal.
- b) Finalize, seal, and incorporate the utility relocation plans into the FM 1518 project bid construction document package.
- c) Engineer will address contractor questions during the TxDOT bid process. For estimating purposes, (10) ten contractor questions are included.
- d) Engineer will prepare any Addenda necessary during the TxDOT bid process. For estimating purposes, (1) Addenda issuance is included.

**Deliverables** –60%, 95%, and bid construction submittals of plans, specifications and opinion of probable construction cost

## **PHASE 5 – Construction Phase Services**

These services are intended to assist the City in administering the contract for construction, monitoring the performance of the construction Contractor, verifying that Contractor's work is in substantial compliance with the contract documents, and assisting the City in responding to the events that occur during construction. Administration Services as defined below.

### **Task 1 – Submittals**

Review of Shop Drawings, Samples and Submittals - Halff review and approve all submittals for the water and wastewater relocation of the Contractor's shop drawings, samples and other submittals for conformance with the design concept and general agreement of the contract. Halff will log and track all shop drawings, samples and submittals. Halff shall coordinate with City of Schertz for quality control. For estimating purposes, Five (5) submittals are estimated to be reviewed. Additionally, two (2) rounds of comments and review of revised submittals are anticipated for this task.



## **Task 2 - Requests for Information (RFI)**

Halff will review the Contractor's requests for information or clarification of the contract for construction. Halff will coordinate and issue responses to requests to Contractor. Halff will log and track the Contractor's requests. Ten (10) RFI's are assumed as part of this proposal.

## **Task 3- Review of Contractor's Requested Changes**

Halff shall review all Contractor-requested changes to the contract for construction. Halff will make recommendations to City regarding the acceptability of the Contractor's request and, upon approval of the City, assist in negotiations of the requested change. Upon agreement and approval, Halff shall prepare and submit supporting change order documents and plan revisions.

## **Task 4- Contractor Pay Application Review**

Halff will review each contractor pay application submitted by the contractor to TxDOT (or TxDOT's third party construction inspection engineer) and verify quantities installed with the onsite construction inspector. Halff will coordinate with the City project manager on any submitted pay application and formally send correspondence onto TxDOT (or TxDOT's third party construction inspection engineer) upon direction of the City. Ten (10) pay application are anticipated for this task.

## **Task 5 -Completion of Record Documents**

Halff shall prepare construction Record Documents based on information received from the Construction Contractor within thirty (30) days of substantial completion of construction and provide one (1) set of paper hard copy reproducible and one (1) electronic set of record drawings in .dwg and .pdf formats to the City of Schertz. These record documents are a compilation of the sealed engineering drawings for the FM 1518 utility relocation project, modified by addenda and change orders, and information furnished by the contractor. Information shown in the record documents provided by the contractor, or others not associated with the design engineer, cannot be verified for accuracy or completeness.

## **ITEMS EXCLUDED FROM SCOPE OF SERVICES**

1. Archeological survey and/or historic structure survey, including application for an Antiquities Permit, preparation of a historic research design, performing cultural resources reconnaissance or intensive surveys, evaluation of any resources for eligibility for listing in the NRHP, evaluation of effects on NRHP-eligible or NRHP-listed sites, or development of mitigation plans
2. USFWS and TPWD coordination/consultation
3. Field surveys for federal and state-listed threatened and endangered species.
4. Phase I Environmental Site Assessment
5. Design of public and franchised utility adjustments that are not noted in the above scope
6. Analyzing or simulating water supply networks
7. Storm Water Pollution Prevention Plan (SWPPP)
8. Property acquisition or negotiations, including easements
9. Filing fees, permit fees, and license fees
10. Coordination with individual property owners
11. Construction Site visit or status meetings (City staff will perform inspection services, construction progress meetings and quality control during construction) (Halff can perform these services as supplemental services but will require scope modifications)
12. Drafting any City Council agenda items, exhibits, ordinances, resolutions or attendance of council meetings
13. Engineers certificates. The Engineer shall not be required to execute any documents subsequent to the signing of this Agreement that in any way might, in the judgment of the Engineer, increase the Engineer's risk or the availability or cost of his professional or general liability insurance

Any additional services required beyond those specifically identified in this proposal are beyond the scope of services to be provided. Additional services, if requested, will be separately identified and negotiated and such additional scope and commensurate fee will be authorized under a supplemental agreement to this proposal/contract.

### **3. Owner's Responsibilities**

Owner shall have those responsibilities set forth in Article 2 of the Agreement and in Exhibit B:

#### 4. Task Order Schedule

In addition to any schedule provisions provided in Exhibit A or elsewhere, the parties shall meet the following schedule:

<u>Party</u>	<u>Action</u>	<u>Schedule</u>
Engineer	<b>Furnish:</b> <b>1. The consultant will submit five set of plans and specifications at the 30% and 60%, and two sets of plans at the 95% and Construction Documents. Consultant will participate in submittal review meetings for each milestone.</b>	<b>Half personnel will be available to commence work upon written notice to proceed.</b>
Owner	<b>1. As Built drawings for public utilities within R.O.W. 2. Adjacent development plats. 3. Future projected utility layouts</b>	<b>As Coordinated</b>

#### 5. Payments to Engineer

- A. Owner shall pay Engineer for services rendered under this Task Order as follows:

Fee provided shall be considered lump sum for the services described in this Task Order. ***See attached Exhibit B for Fee Schedule.***

- B. The terms of payment are set forth in Article 4 of the Agreement and in the applicable governing provisions of Exhibit C.

#### 6. Terms and Conditions

Execution of this Task Order by Owner and Engineer shall make it subject to the terms and conditions of the Agreement (as modified above), which Agreement is incorporated by this reference. Engineer is authorized to begin performance upon its receipt of a copy of this Task Order signed by Owner.

The Effective Date of this Task Order is to be determined

OWNER:

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

DESIGNATED REPRESENTATIVE FOR TASK ORDER:

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Address: \_\_\_\_\_

Email  
Address: \_\_\_\_\_

Phone: \_\_\_\_\_

ENGINEER:

By: \_\_\_\_\_ 

Print Name: Marcos Díaz, PE

Title: Public Works Team Leader

Engineer License or Firm's: F-312

State of: Texas

DESIGNATED REPRESENTATIVE FOR TASK ORDER:

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Address: \_\_\_\_\_

Email  
Address: \_\_\_\_\_

Phone: \_\_\_\_\_

# EXHIBIT B - FEE SCHEDULE

## FM 1518 - City of Schertz Estimated Level of Effort

POSITION DESCRIPTION		No. Sheets	Sr. Project Manager/QAQC	Project Manager/ Sr. Lands Arch	Mid Project Engineer	Engineer EIT/ Lands Arch	Survey Technician	Admin Assistant	Mid RPLS Manager	SUE/Survey Crew 2-man	SUE Test Holes (ea)	Total Labor hrs.	Cost
BILLABLE LABOR RATES			\$265.00	\$199.00	\$160.00	\$115.00	\$115.00	\$70.00	\$185.00	\$175.00	\$3,000.00		
PHASE 1													
PROJECT STARTUP & MANAGEMENT & COORDINATION													
	a) Project Management and Coordination (6 month design, 12 month const)		20	80	40							140	\$27,620.00
	b) Prepare Monthly Invoices and Progress Reports (Assumes 18 Invoices)			9	18			18				45	\$5,931.00
	c) Project Meetings at City Office (Assumes 4)			16	16	8						40	\$6,664.00
	Total Hours		20	105	74	8	0	18	0	0	0	225	
SUMMARY													
	HOURS SUB-TOTALS		20	105	74	8	0	18	0	0	0	225	-
	BILLABLE RATE PER HOUR		\$265.00	\$199.00	\$160.00	\$115.00	\$115.00	\$70.00	\$185.00	\$175.00	\$3,000.00		-
	TOTAL - PHASE 1		\$5,300.00	\$20,895.00	\$11,840.00	\$920.00	\$0.00	\$1,260.00	\$0.00	\$0.00	\$0.00		\$40,215.00
PHASE 2													
DATA COLLECTION AND REVIEW													
TASK 1	Data Acquisition		4	8	16	24						52	\$7,972.00
TASK 2	SUE (Level A Testholes) (Allowance)				8	16					15	39	\$48,120.00
TASK 3	Topographic Survey (Allowance)		2	8	16		40		20	80		166	\$26,982.00
	Total Hours		6	16	40	40	40	0	20	80	15	257	
SUMMARY													
	HOURS SUB-TOTALS		6	16	40	40	40	0	20	80	15	257	-
	BILLABLE RATE PER HOUR		\$265.00	\$199.00	\$160.00	\$115.00	\$115.00	\$70.00	\$185.00	\$175.00	\$3,000.00		-
	TOTAL - PHASE 2		\$1,590.00	\$3,184.00	\$6,400.00	\$4,600.00	\$4,600.00	\$0.00	\$3,700.00	\$14,000.00	\$45,000.00		\$83,074.00
PHASE 3													
PRELIMINARY DESIGN (30%)													
a)	Preliminary Water and Wastewater Alignment	45											
	Governing Authority Jurisdictions (Permit Identification)		1	2	4	8						15	\$2,223.00
	Utility Investigation (Survey, As-Builts, Field Observations)			8	16	40						64	\$8,752.00
	Prepare SUE Pothole Plan			4	4							8	\$1,436.00
	ROW and Easement Review		1	4	6	16						27	\$3,861.00
	Water Alignment and Schematic Design		2	60	100	280						442	\$60,670.00
	Wastewater Alignment and Schematic Design		1	8	20	48						77	\$10,577.00
b)	OPCC			2	8	16						26	\$3,518.00
c)	Prepare preliminary design submittal			8	20	40						68	\$9,392.00
	Schematic Design Review Meeting			4	4							8	\$1,436.00
	Total Hours		5	100	182	448	0	0	0	0	0	735	
SUMMARY													
	HOURS SUB-TOTALS		5	100	182	448	0	0	0	0	0	735	-
	BILLABLE RATE PER HOUR		\$265.00	\$199.00	\$160.00	\$115.00	\$115.00	\$70.00	\$185.00	\$175.00	\$3,000.00		-
	TOTAL - PHASE 3		\$1,325.00	\$19,900.00	\$29,120.00	\$51,520.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		\$101,865.00

# EXHIBIT B - FEE SCHEDULE

## FM 1518 - City of Schertz Estimated Level of Effort

POSITION DESCRIPTION		No. Sheets	Sr. Project Manager/QAQC	Project Manager/ Sr. Lands Arch	Mid Project Engineer	Engineer EIT/ Lands Arch	Survey Technician	Admin Assistant	Mid RPLS Manager	SUE/Survey Crew 2-man	SUE Test Holes (ea)	Total Labor hrs.	Cost
BILLABLE LABOR RATES			\$265.00	\$199.00	\$160.00	\$115.00	\$115.00	\$70.00	\$185.00	\$175.00	\$3,000.00		
PHASE 4													
UTILITY DESIGN													
TASK 1	60% PS&E	75											
	Review and Coordinate Construction Phasing Plan with TxDOT		2	8	16	24						50	\$7,442.00
	Prepare Removal Plan			8	16	24						48	\$6,912.00
	Preppare Water Design and Plan on Plan Layout Sheets		4	40	68	240						352	\$47,500.00
	Prepare Water Details		1	16	40	60						117	\$16,749.00
	Prepare Wastewater Design and Plan and Profile Layout Sheets		4	12	24	80						120	\$16,488.00
	Prepare Preliminary Wastewater Bypass Plan			8	24	40						72	\$10,032.00
	Prepare Project Schedule		1	16	24	16						57	\$9,129.00
	Prepare Draft Technical Specifications		2	16	36	24						78	\$12,234.00
	OPCC (AACE 56R-08 Class 2)		1	8	16	32						57	\$8,097.00
	QAQC		16	4								20	\$5,036.00
	Prepare 60% Submittal Package (5 complete sets)		1	4	8	8		4				25	\$3,541.00
	Workshop Review Meeting and Walkthrough		2	8	8	8						26	\$4,322.00
TASK 2	95% PS&E	95											
	Respond to and Address 60% Comments		2	8	24	40						74	\$10,562.00
	Review and Coordinate Construction Phasing Plan with TxDOT		2	4	8	12						26	\$3,986.00
	Finalize Removal Plan			4	8	16						28	\$3,916.00
	Finalize Water Design and Layout Sheets		2	32	54	200						288	\$38,538.00
	Finalize Water Details		2	8	24	40						74	\$10,562.00
	Finalize Wastewater Design and Layout Sheets		2	8	18	40						68	\$9,602.00
	Finalize Wastewater Bypass Plan			4	8	24						36	\$4,836.00
	Update Project Schedule			4	8							12	\$2,076.00
	Finalize Technical Specifications		1	4	8	16						29	\$4,181.00
	OPCC (AACE 56R-08 Class 2)		1	4	16	24						45	\$6,381.00
	QAQC		16	4								20	\$5,036.00
	Prepare 95% Submittal Package (5 complete sets)		1	4	8	8		4				25	\$3,541.00
	Workshop Review Meeting		2	4	4	4						14	\$2,426.00
TASK 3	100% PS&E	95											
	Address 95% Comments and Resubmit Package (2 complete sets)		1	4	8	24						37	\$5,101.00
	Prepare Sealed Plans and Specifications		2	12	32	48						94	\$13,558.00
	Prepare Final Engineer's OPCC			4	8	16						28	\$3,916.00
	Prepare 100% submittal (two (2) sets of contract documents)		2	8	12	8		2				32	\$5,102.00
	Attend the Pre-Bid Conference		2	2								4	\$928.00
	Review and respond to RFIs during Bidding (5 max)			1	5							6	\$999.00
	Prepare & issue addenda to Bidders (1 max)		2	4	8							14	\$2,606.00
	Review bid tabulation			2	4	4						10	\$1,498.00
	Prepare Sealed Plans and Specifications with Addendums		2	8	8	8						26	\$4,322.00
	Total Hours		76	285	553	1088	0	10	0	0	0	2012	
SUMMARY													
	HOURS SUB-TOTALS		76	285	553	1088	0	10	0	0	0	2012	-
	BILLABLE RATE PER HOUR		\$265.00	\$199.00	\$160.00	\$115.00	\$115.00	\$70.00	\$185.00	\$175.00	\$3,000.00		-
	TOTAL - PHASE 4		\$20,140.00	\$56,715.00	\$88,480.00	\$125,120.00	\$0.00	\$700.00	\$0.00	\$0.00	\$0.00		\$291,155.00

EXHIBIT B - FEE SCHEDULE

FM 1518 - City of Schertz  
Estimated Level of Effort

POSITION DESCRIPTION		No. Sheets	Sr. Project Manager/QAQC	Project Manager/ Sr. Lands Arch	Mid Project Engineer	Engineer EIT/ Lands Arch	Survey Technician	Admin Assistant	Mid RPLS Manager	SUE/Survey Crew 2-man	SUE Test Holes (ea)	Total Labor hrs.	Cost
BILLABLE LABOR RATES			\$265.00	\$199.00	\$160.00	\$115.00	\$115.00	\$70.00	\$185.00	\$175.00	\$3,000.00		
PHASE 5													
CONSTRUCTION PHASE SERVICES													
TASK 1	Submittals			5	10	20						35	\$4,895.00
TASK 2	RFIs (10 max)		2	5	20	10						37	\$5,875.00
TASK 3	Review of Contractor's Requested Changes (10 max)		2	5	10	20						37	\$5,425.00
TASK 4	Review of Contractor's Pay Application		2	4	12							18	\$3,246.00
TASK 5	Record Documents		2	10	20	60						92	\$12,620.00
Total Hours			8	29	72	110	0	0	0	0	0	219	
SUMMARY													
	HOURS SUB-TOTALS		8	29	72	110	0	0	0	0	0	219	-
	BILLABLE RATE PER HOUR		\$265.00	\$199.00	\$160.00	\$115.00	\$115.00	\$70.00	\$185.00	\$175.00	\$3,000.00		
	TOTAL - PHASE 5		\$2,120.00	\$5,771.00	\$11,520.00	\$12,650.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		\$32,061.00
TOTAL PROJECT SUMMARY													
	HOURS SUB-TOTALS		115	535	921	1694	40	28	20	80	15	3448	\$548,370.00
	BILLABLE RATE PER HOUR		\$265.00	\$199.00	\$160.00	\$115.00	\$115.00	\$70.00	\$185.00	\$175.00	\$3,000.00	3448	
	TOTAL PROJECT SUMMARY		\$30,475.00	\$106,465.00	\$147,360.00	\$194,810.00	\$4,600.00	\$1,960.00	\$3,700.00	\$14,000.00	\$45,000.00		\$548,370.00

**CITY COUNCIL MEMORANDUM**

**City Council Meeting:** May 4, 2021  
**Department:** City Secretary  
**Subject:** Resolution No. 21-R-35 - Consideration and/or action approving a Resolution by the City Council of the City of Schertz, Texas authorizing the City Manager to amend the existing License and Management Agreements with the YMCA, by canceling the Management of the Wendy Swan Memorial Park Pool. (B. James/L. Shrum)

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**BACKGROUND**

The Wendy Swan Memorial Park Pool was formerly an HOA-owned pool in the Northcliffe subdivision and as such was only designed to serve a small amount of people at one time. The capacity of the pool area is 50 people, but the pool rarely reaches capacity. Its small size does not afford a lot of opportunities for activities, so it is not as in demand as our other pools. When the pandemic hit in March 2020 there were capacity limits placed on facilities including outdoor pools, and the 25% capacity allowed at the start of the summer would have only allowed 12 people to enter the pool. City staff and YMCA staff (who are contracted to manage the outdoor pools) deemed it not feasible to open Wendy Swan Memorial Park Pool at that time.

City staff began researching the idea of converting the small residential-sized pool into a splash pad utilizing the existing filtration equipment which is in fairly good condition. The proposed small splash pad will fit into the existing footprint of the old pool, will utilize the existing restrooms and covered porch area, and the fence will come down for access. Currently, the pool is only open from Memorial Day Weekend through the start of the school year in August. Converting to a splash pad would eliminate the need for the facility to have lifeguards and thus allow for an extended season of March - October.

In February 2021 Texas experienced Winter Storm Uri and many facilities suffered damage from freezing pipes, including the Wendy Swan Memorial Park Pool House and Restroom Facility. Bidding is complete and the repairs are extensive at the pool house, so City staff is pausing to combine the repairs into the larger splash pad project to convert the restrooms to continuous public access like at other parks, and to ensure the restrooms are fully accessible.

**GOAL**

The goal is to convert the Wendy Swan Memorial Park Pool into a small splash pad by utilizing the existing filtration equipment and incorporating the existing restroom facility and porch overhang for potential birthday party rentals. There is also an existing picnic pavilion behind the restrooms that would be more desirable for party rentals if the pool was converted to a splash pad.

**COMMUNITY BENEFIT**



The community will benefit from this conversion by having a new splash pad that has open public access and an extended public season. The only splash pad that is currently in the city is integrated with the Recreation Center and Aquatic Center and there is currently a fee associated with accessing that splash pad. Instead of the existing facility only being utilized May – August from 12-7 pm, this new facility will be open March – October from 10-8 pm (may vary based on Daylight Savings Time.) In addition, non-swimmers can utilize this facility, so many families with young children will benefit from this facility conversion.

## **SUMMARY OF RECOMMENDED ACTION**

Approve Resolution 21-R-35

## **FISCAL IMPACT**

Preliminary estimates for this conversion are approximately \$250,000 - \$300,000. The goal is to cancel the management agreement for the Wendy Swan Memorial Park Pool which costs the city \$89,939 per year (half of the total outdoor pools management fee of \$179,878.) After some discussion with the vendor it has been determined that between 60-80% of the vendors costs are spent on managing Pickrell Pool, thus city staff is proposing to renegotiate the contract and pay 60% of the original contract price to operate Pickrell Pool going forward (\$107,926.) The annual savings to the city would be \$71,952 per year. The city would construct the splash pad utilizing reserve funds (after coming back to council for authorization to proceed with construction) and the savings from the cancellation of the management contract, would pay back the reserve fund in 4 years.

## **RECOMMENDATION**

Approve Resolution 21-R-35 to amend the existing license and management agreements with the YMCA by canceling the management of the Wendy Swan Memorial Park Pool.

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### **Attachments**

Resolution 21-R-35

Outdoor Pool Amendment

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## **RESOLUTION NO. 21-R-35**

### **A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AUTHORIZING THE CITY MANAGER TO AMEND THE EXISTING LICENSE AND MANAGEMENT AGREEMENTS WITH THE YMCA, BY CANCELLING THE MANAGEMENT OF THE WENDY SWAN MEMORIAL PARK POOL.**

WHEREAS, the agreement between the YMCA and City of Schertz authorized in 2016 by Resolution 16-R-41 in Section 11(f) allows for the cancellation of management of one or both pools; and

WHEREAS, the City has determined it is in the best interest to close Wendy Swan Memorial Park Pool for a future conversion to a splashpad; and

WHEREAS, the City Council grants the City Manager authorization to amend the contract.

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 amend the existing license and management agreements with the YMCA set forth as Exhibit A, by cancelling the management of the Wendy Swan Memorial Park Pool.

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 4<sup>th</sup> day of May, 2021.

CITY OF SCHERTZ, TEXAS

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Ralph Gutierrez, Mayor

ATTEST:

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Brenda Dennis, City Secretary

(CITY SEAL)

**EXHIBIT A**

**LICENSE AND MANAGEMENT AGREEMENTS WITH THE YMCA FOR THE  
MANAGEMENT AND OPERATIONS OF THE RECREATION, CENTER, OUTDOOR  
POOLS, SPLASH PAD, ENCLOSED COMMUNITY SWIMMING POOL OF  
COMPETITION QUALITY AND INDOOR RECREATION POOL**

**AMENDMENT ONE TO THE RECREATION CENTER LICENSE  
AGREEMENT AND OUTDOOR POOLS MANAGEMENT AGREEMENT**

This Amendment is made to that **RECREATION CENTER LICENSE AGREEMENT AND OUTDOOR POOLS MANAGEMENT AGREEMENT** previously executed by and between the CITY OF SCHERTZ, TEXAS ("City") and Young Men's Christian Association of Greater San Antonio, a Texas non-profit organization (the "YMCA").

It is mutually understood and agreed by and between the undersigned contracting parties to terminate the management of the Wendy Swan Pool, located at 4601 Cherry Tree Dr, Schertz, TX 78108 as allowed for in section 11(f) of the original agreement and amend that previously executed agreement such as follows to account for the management of the Pickrell Park Pool, located at 703 Oak St, Schertz, TX 78154:

Section 11. General Terms of Operation, Use and Maintenance of the Outdoor Pool(s)

- (a) Cost: The total maximum cost payable to the YMCA for the YMCA's management of the Pickrell Pool for each year of this Agreement shall be One Hundred Seven Thousand Nine Hundred Twenty Six and No/100 Dollars (\$107,926.00), which shall be paid in two (2) payments of Fifty three thousand nine hundred sixty three and No/100 Dollars (\$53,963.00) by Schertz to the YMCA on or before June 1 of each year and July 1 of each year of this Agreement, with a final payment of Fifty three thousand nine hundred sixty three and No/100 Dollars (\$53,963.00) paid on or before August 1 of each year of this Agreement.
- (b) Revenues from the Outdoor Pools: Schertz shall receive and retain all revenues from gate receipts, season pass receipts, and concession receipts. The YMCA shall receive and retain all revenues from YMCA programs, including swimming lessons and aquatic programs, and all receipts for the Outdoor Pools rentals and pool parties. YMCA will not charge swimming teams for reserved lanes for swim practice.
- (c) Scope of Work: The YMCA shall perform all work for the operational management of the Outdoor Pools as shown in Exhibit H, attached hereto and incorporated herein for all purposes.
- (d) Active Terms: The provisions of this Agreement with respect to the management of the Outdoor Pools shall be applicable for a three-month period of approximately May 24 through August 24 during each calendar year of this Agreement (each an "Active Term"). The precise Active Term for each calendar year will be provided by Schertz to the YMCA at least sixty (60) days prior to the beginning of each year's three-month Active Term.

- (e) YMCA Obligation and Rights: YMCA shall, at its expense, for each Active Term of this Agreement, obtain all permits, certifications, and licenses, and pay all related fees and taxes, necessary for the performance of its work and services under this Agreement, and will comply with all laws, ordinances, rules and regulations governing YMCA's performance of this Agreement, including all environmental laws and regulations, whether state or federal. Schertz will waive all fees for City-required permits, licenses, and inspections related to the Outdoor Pools. All work shall be done in strict conformity with this Agreement. YMCA shall have exclusive control of the day-to-day operations of the Outdoor Pools, subject to the right of Schertz to inspect the Outdoor Pools to ensure that YMCA is properly carrying out the terms of this Agreement. YMCA agrees that all of its employees shall be fully qualified and competent to do the work required under the terms of this Agreement. All minor detail of the work not specifically mentioned in this Agreement but obviously necessary for the proper completion of the work shall be considered as incident to and a part of the work for which payment is made to the YMCA under this Agreement. YMCA will not be entitled to any additional compensation therefor unless specifically stated otherwise in this Agreement
- (f) Termination of the Outdoor Pool(s) Management: Schertz may terminate the management of the Outdoor Pool(s) at will for no or any reason upon giving at least ninety (90) days advance written notice to YMCA. The parties to this Agreement understand and agree that it is in Schertz's reasonable discretion to terminate the provisions of this Agreement with respect to Outdoor Pool without penalty to Schertz or the YMCA. YMCA has no expectation and has received no guarantees that the provisions of this Agreement set forth in this **Section 11** with respect to Outdoor Pool will not be terminated before the end of the Agreement term. The parties have bargained for the flexibility of this termination option upon tender of the requisite notice at any time during the term of this Agreement. Upon termination, all equipment, furniture, fixtures, and supplies purchased, provided, owned, or brought into the Outdoor Pools by YMCA will remain the property of the YMCA and will be removed from the applicable Outdoor Pool(s) at the end of the ninety (90) day notice period. Upon termination, all equipment, furniture, fixtures, and supplies purchased, provided, owned, or brought into the applicable Outdoor Pool(s) by Schertz will remain the property of Schertz. All work and services under this Agreement and all payments hereunder for work and services after the date of termination shall be terminated in accordance with **Section 11(g)** upon termination of the provisions of this Agreement set forth in this **Section 11** with respect to the Outdoor Pool(s).
- (g) Payment: As full consideration for the services which the YMCA shall provide to Schertz with respect to the Outdoor Pool(s), the YMCA shall receive the total sum described in Section 11(a). Any sums due and payable hereunder which are not paid within ten (10) days of the due date shall bear interest at the rate as set by the State of Texas, from the date due until the date of payment. In the event the provisions of this Agreement set forth in this Section 11 with respect to the

Outdoor Pool(s) are terminated pursuant to Section II(f), the payments due to YMCA hereunder shall be prorated on a daily basis of Nine Hundred Ninety-Nine and 32/100 Dollars (\$999.32) for one Outdoor Pool, as applicable, and YMCA shall rebate to Schertz or Schertz shall pay the YMCA, as applicable, such amount as shall be necessary to reflect the pro rata portion of the total amount payable to YMCA under Section II(a) through the effective date of such termination.

All other requirements, terms, and conditions that are not hereby amended are to remain in full force and effect.

**EXECUTED** on this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**CITY:**

**CONTRACTOR:**

By: \_\_\_\_\_  
Name: Dr. Mark Browne  
Title: City Manager

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

**ADDRESS FOR NOTICE:**

**CITY:**

**CONTRACTOR:**

City of Schertz  
Attn: Mark Browne, City Manager  
1400 Schertz Parkway  
Schertz, Texas 78154

Name  
Address  
City, State Zip  
Number

CITY COUNCIL MEMORANDUM

**City Council Meeting:** May 4, 2021  
**Department:** Planning & Community Development  
**Subject:** Ordinance 21-A-13 - Conduct a public hearing, consider and/or take action on a request for voluntary annexation of approximately 35.5 acres of land generally located approximately 4,000 feet southeast of the intersection between FM 1518 and Lower Seguin Road, also known as Bexar County Property Identification Numbers 310024 and 310031, Bexar County, Texas. *First Reading* (B. James, L. Wood, N. Kopyay)

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**BACKGROUND**

Annexation of land into the City's corporate limits may be voluntary or involuntary. Each type has Texas Local Government Code (LGC) requirements that identify the necessary process based on the annexation type. The City's Unified Development Code (UDC) Section 21.4.8 includes provisions that apply to requests for voluntary annexation meeting certain criteria. This section of the City's UDC includes provisions for processing of voluntary annexation requests.

On behalf of the property owners, Moy Tarin Ramirez Engineers, LLC submitted a petition for voluntary annexation to the City of Schertz for approximately 35.5 acres of land generally located approximately 4,000 feet southeast of the intersection between FM 1518 and Lower Seguin Road, also known as Bexar County Property Identification Numbers 310024 and 310031.

On April 6, 2021, City Council approved Resolution 21-R-22, accepting a petition for voluntary annexation, therefore allowing this annexation ordinance to be heard by the City Council. The property owners are also requesting to zone the subject property to Planned Development District (PDD) immediately following action on Ordinance 21-A-13.

A public hearing notice was published in the San Antonio Express News for the public hearing associated with the annexation ordinance on April 14, 2021. City Staff also sent written notice of the proposed annexation to the Board of Trustees for Schertz-Cibolo-Universal City ISD and all property owners within 200 feet on April 20, 2021. Additionally, a public hearing notice has been published on the City of Schertz website since April 21, 2021. At the time of this report, Staff have not received any responses to the annexation public hearing notice.

**GOAL**

The property owners are requesting voluntary annexation into the City of Schertz, because they want the subject property to be located within the Schertz City limits in order to develop the land as a residential subdivision under the Planned Development Zoning District (PDD).

**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 21-A-13 and the annexation of approximately 35.5 acres.

**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. While some services are provided to the subject property through an interlocal agreement, the City of Schertz must provide police protection, fire protection, emergency medical services, operation and maintenance of streets, solid waste collection, sewer service, and water service. However, The fiscal impact of this annexation was already accounted for given that the subject properties are under delayed annexation development agreements, which expire in August 2021. Per the original agreement, the subject properties were already planned to be annexed, and thus the aforementioned services were already planned to be provided, in August 2021. The annexation service plan attached to this CCM will be signed by the authorized agent of the property owner prior to the final reading of Ordinance 21-A-13 at the May 11, 2021 City Council meeting.

## **RECOMMENDATION**

Staff recommends approval of Ordinance 21-A-13.

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## **Attachments**

Ordinance 21-A-13

Ordinance 21-A-13 Exhibit A

Ordinance 21-A-13 Exhibit B

Annexation Exhibit

Aerial Map

Public Hearing Notice Map

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## **ORDINANCE NO. 21-A-13**

**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 35.5 ACRES OF LAND LOCATED IN BEXAR COUNTY, GENERALLY LOCATED APPROXIMATELY 4,000 FEET SOUTHEAST OF THE INTERSECTION BETWEEN FM 1518 AND LOWER SEGUIN ROAD, ALSO KNOWN AS BEXAR COUNTY PROPERTY IDENTIFICATION NUMBERS 310024 AND 310031.**

**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 43.035(c) 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 43.028 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 March 17, 2021 for the hearing held on April 6, 2021, and notice was published in the San Antonio Express News on April 14, 2021 for the hearing on May 4, 2021; and

**WHEREAS**, on April 6, 2021 the City Council conducted a public hearing and after considering the request for voluntary annexation, adopted Resolution 21-R-22 accepting a petition for voluntary annexation; 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 property described in Exhibit A is hereby approved and the implementation of said plan is hereby authorized. Such plan is 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.

Approved on first reading the 4<sup>th</sup> day of May, 2021.

PASSED, APPROVED AND ADOPTED on final reading the 11<sup>th</sup> day of May, 2021.

---

Ralph Gutierrez, Mayor

ATTEST:

---

Brenda Dennis, City Secretary  
(SEAL OF THE CITY)

Field Notes for a tract of land  
Containing 35.405 acres (1,542,228.37 square feet) tract of land

A 35.405 acre (1,542,228.37 square feet) tract of land situated in the Julian Diaz Survey No. 66, Abstract No. 187, Bexar County Block 5059, Bexar County, Texas, being a portion of a 20.003 acre tract as conveyed to Alfred L. Fluitt by General Warranty Deed with Vendor's Lien, as recorded in Volume 18218, Page 2089, and a portion of a 21.58 acre tract as conveyed to Sue Nell Fluitt by General Warranty Deed with Vendor's Lien, as recorded in Volume 8472, Page 1941, both of the Official Public Records of Bexar County, Texas, said 35.405 acre (1,542,228.37 square feet) tract of land being more particularly described as follows:

**Commencing** at a found 1/2" iron rod on the southeast right of way line of Lower Seguin Road, (Public Right of Way), being the northwest corner of a 2.005 acre tract as conveyed to Carlos Garza, Jr. and wife Margret L. Carty by General Warranty Deed with Vendor's Lien, as recorded in Volume 6541, Page 807, of the Official Public Records of Bexar County, Texas,

**Thence**, with the southwest boundary of said 2.005 acre tract and the northeast boundary of said 20.003 acre tract, South 30 degrees 31 minutes 38 seconds East, a distance of 209.20 feet, to the **Point of Beginning**, being on a northwesterly boundary line of the Schertz City Limits Line, and being the north corner of the herein described tract;

**Thence**, continuing with the southwest boundary of said 2.005 acre tract and the northeast boundary of said 20.003 acre tract, South 30 degrees 31 minutes 38 seconds East, passing the south corner of said 2.005 acre tract being the northwest corner of a 2.003 acre tract as conveyed to James B. Carty by General Warranty Deed with Vendor's Lien, as recorded in Volume 6541, Page 812, of the Official Public Records of Bexar County, Texas, and continuing said course for a total distance of 1,053.09 feet, to a found 1/2" iron rod, being on the northwest boundary of a 194.101 acre tract as conveyed to Seanna Fraser Holtz by General Warranty Deed with Vendor's Lien as recorded in Document Number 20110157688, of the Official Public Records of Bexar County, Texas, being the south corner of said 2.003 acre tract and the southeast corner of the herein described tract;

**Thence**, with the southeast boundary of said 20.003 acre tract and the northwest boundary of said 194.101 acre tract, South 59 degrees 33 minutes 45 seconds West, a distance of 693.68 feet, to a found 1/2" iron rod, being on the northwest boundary of said 194.101 acre tract, and being the east corner of said 21.58 acre tract, being the south corner of said 20.003 acre tract and being an angle point in the herein described tract;

**Thence**, with the southeast boundary of said 21.58 acre tract and the northwest boundary of said 194.101 acre tract, South 59 degrees 39 minutes 33 seconds West, a distance of 1,098.31 feet, to a found 1/2" iron rod (bent), being on a northeast boundary of a 34.335 acre tract as conveyed to Penny Lu Fairley by Revocable Transfer on Death Deed as recorded in Document Number 20180127574, of the Official Public Records of Bexar County, Texas, and being the west corner of said 194.101 acre tract and the southwest corner of the herein described tract;

**Thence**, with the southwest boundary of said 21.58 acre tract and a northeast boundary of said 34.335 acre tract, North 30 degrees 18 minutes 41 seconds West, a distance of 655.26 feet, to a set 1/2" iron rod with an orange plastic cap stamped "MTR ENG", being the south corner of a 15.00 acre tract as conveyed to Michael Asher and Linda S. Harman by General Warranty Deed Reserving a Life Estate as recorded in Document Number 20140093450, of the Official Public Records of Bexar County, Texas, being the west corner of said 21.58 acre tract and the west corner of the herein described tract;


**Thence**, with a northerly boundary of said 21.58 acre tract and the southeast boundary of said 15.00 acre tract, North 59 degrees 32 minutes 37 seconds East, passing the east corner of said 15.00 acre tract, being the south corner of a 2.00 acre tract as conveyed to Salvador P. Alvarez by General Warranty Deed with Vendor's Lien as recorded in Document Number 20060070306, of the Official Public Records of Bexar County, Texas, and continuing said course for a total distance of 840.23 feet to a found 1/2" iron rod with yellow plastic cap stamped "REG NO. 5464", being the southeast corner of said 2.00 acre tract and an interior angle point in the herein described tract;

**Thence**, with the easterly boundary of said 2.00 acre tract, being a westerly boundary of said 21.58 acre tract, North 24 degrees 00 minutes 42 seconds West, a distance of 396.98 feet, to a point on a northwesterly boundary of said Schertz City Limits Line, being the northwest corner of the herein described tract;

**Thence**, with a northwesterly boundary of said Schertz City Limits Line, North 59 degrees 29 minutes 09 seconds East, a distance of 904.23 feet to the **Point of Beginning**, containing 35.405 acres (1,542,228.37 square feet) of land.

**Note:** Basis of bearings was established from the State Plane Coordinate System, North American Datum of 1983, Texas South Central Zone Surface Units.



  
Stephanie L. James, R.P.L.S.  
Registered Professional Land Surveyor  
No. 5950  
Date: 2021-02-03      Job No. 20151  
VB

# CITY OF SCHERTZ, TEXAS

## ANNEXATION SERVICE PLAN

### **AREA ANNEXED**

A 35.405 acre (1,542,228.37 square feet) tract of land situated in the Julian Diaz Survey No. 66, Abstract No. 187, County Block No. 5059, Bexar County, Texas, being a portion of a 20.003 acre tract as conveyed to Alfred L. Fluitt by General Warranty Deed with Vendor's Lien, as recorded in Volume 18218, Page 2089, and a portion of a 21.58 acre tract as conveyed to Sue Nell Fluitt by General Warranty Deed with Vendor's Lien, as recorded in Volume 8472, Page 1941, both of the Official Public Records of Bexar County, Texas.

See Exhibit A, "*Metes and Bounds Description*", attached hereto for a complete description of the property.

### **INTRODUCTION**

This service plan has been prepared in accordance with Local Government Code Section 43.056. Municipal facilities and services to the annexed area described above will be provided or made available on behalf of the city at the following levels and in accordance with the following schedule:

### **POLICE PROTECTION**

Patrolling, responses to calls, and other police services will be provided on the effective date of the annexation at the same level as provided throughout the city.

### **FIRE PROTECTION AND FIRE PREVENTION**

Fire protection and fire prevention services will be provided on the effective date of the annexation at the same level as provided throughout the city.

### **EMERGENCY MEDICAL SERVICES**

Emergency medical services will be provided on the effective date of the annexation on the same basis and at the same level as provided throughout the city.

### **SOLID WASTE COLLECTION AND DISPOSAL**

Solid waste collection and disposal services will be provided on the effective date of the annexation on the same basis and at the same level as provided throughout the city. However, no obligation exists for the city to provide solid waste collection services to a person who continues to use the services of a privately owned solid waste management service provider.

## **OPERATION AND MAINTENANCE OF WATER AND WASTEWATER FACILITIES THAT ARE NOT WITHIN THE SERVICE AREA OF ANOTHER WATER OR WASTEWATER UTILITY**

Operation and maintenance of water and wastewater facilities that are not within the service area of another water or wastewater utility will be provided on the effective date of the annexation on the same basis and at the same level as provided throughout the city.

## **OPERATION AND MAINTENANCE OF ROADS AND STREETS**

Operation and maintenance of roads and streets will be provided on the effective date of the annexation on the same basis and at the same level as provided throughout the city.

## **STREET LIGHTING**

Street lighting will be made available on the effective date of the annexation on the same basis and at the same level in comparable areas as provided throughout the city.

## **OPERATION AND MAINTENANCE OF PUBLIC PARKS AND OTHER PUBLICLY OWNED FACILITIES**

If any public park, playground, swimming pool, or any other publicly owned facility, building or service is located within the annexed area, it will be maintained on the effective date of the annexation on the same basis and at the same level as similar facilities are maintained throughout the city.

## **OTHER SERVICES**

Other services that may be provided by the city such as planning, code enforcement, animal control, library, park and recreation, court, and general administration will be made available on the effective date of the annexation on the same basis and at the same level as provided throughout the city.

## **CAPITAL IMPROVEMENTS**

The city will make available to the annexed area any necessary water, sewer, street, and drainage facilities within two and one-half (2-1/2) years of the effective date of the annexation unless the construction of the necessary facilities is interrupted by circumstances beyond the control of the city, or unless this period is extended by an arbitration decision. No impact fees will be charged to any developer or landowner within the annexed area except in conformity with Local Government Code Ch. 395. Construction of other capital improvements shall be considered by the city in the future as the needs dictate on the same basis as such capital improvements are considered throughout the city.

## **UNIFORM LEVEL OF SERVICES MAY NOT BE REQUIRED**

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 area, if different characteristics of topography, land use, and population density are considered a sufficient basis for providing different levels of service.



**TERM**

This service plan shall be valid for a term of ten (10) years.

**AMENDMENTS**

The plan shall not be amended unless public hearings are held in accordance with Local Government Code Section 43.0561.

**OWNER(S):**

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

THE STATE OF TEXAS                      §

   §

COUNTY OF \_\_\_\_\_ §

This instrument was acknowledged before me on the \_\_\_\_ day of \_\_\_\_\_, 2021 by Raymond Tarin Jr., Principal of Moy Tarin Ramirez Engineers, LLC, a Texas limited liability company, the Authorized Agent for the owners of the real property.

(SEAL)

\_\_\_\_\_  
Notary Public in and for  
The State of Texas

My Commission Expires: \_\_\_\_\_

**ATTEST:**

\_\_\_\_\_

City Secretary

**SIGNED:**

\_\_\_\_\_

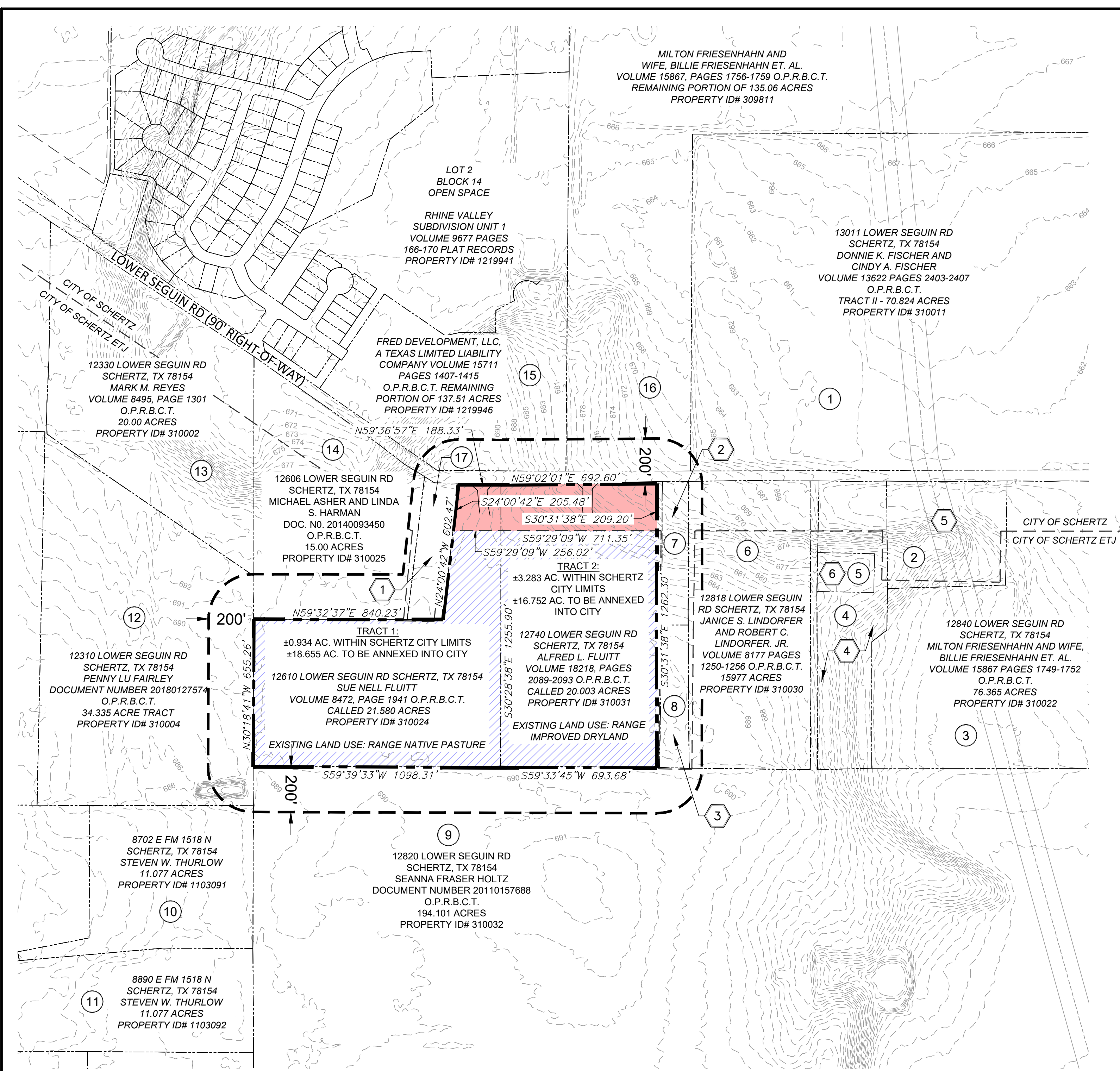
City Manager

**Exhibit A**

**Metes and Bounds Description**

**35.405 ACRES**

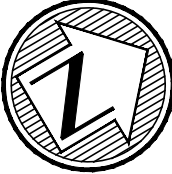




PROPERTY INFORMATION

- 1 12610 LOWER SEGUIN RD SCHERTZ, TX 78154  
SALVADOR P. ALVAREZ  
DOC. NUMBER 20080070306, O.P.R.B.C.T.  
2.00 ACRES  
PROPERTY ID# 1091215
- 2 12746 LOWER SEGUIN RD SCHERTZ, TX 78154  
CARLOS GARZA, JR. AND WIFE,  
MARGRET L. CARTY  
VOLUME 6541, PAGES 807-811 O.P.R.B.C.T.  
2.005 ACRES  
PROPERTY ID# 310027
- 3 12746 LOWER SEGUIN RD SCHERTZ, TX 78154  
JAMES B. CARTY  
VOLUME 6541, PAGE 812, O.P.R.B.C.T.  
2.003 ACRES  
PROPERTY ID# 310030
- 4 12840 LOWER SEGUIN RD SCHERTZ, TX 78154  
KAREN MARK FISCHER  
VOLUME 18819 PAGES 1418-1423  
O.P.R.B.C.T.  
8.132 ACRES  
PROPERTY ID# 310019
- 5 12870 LOWER SEGUIN RD SCHERTZ, TX 78154  
GUILLERMO J. & MARTHA C. GUJARDO  
VOLUME 18819 PAGES 406-405  
O.P.R.B.C.T.  
5.500 ACRES  
PROPERTY ID# 310021
- 6 LOWER SEGUIN RD SCHERTZ, TX 78154  
FISCHER KAREN MARK  
VOLUME 18819 PAGES 1418  
O.P.R.B.C.T.  
1.00 ACRES  
PROPERTY ID# 1139530

LOCATION MAP  
NOT TO SCALE



SCALE: 1" = 300'  
300 150 0 300

LEGEND

- SUBJECT PROPERTY BOUNDARY
- 200' NOTIFICATION BOUNDARY
- PROPERTY BOUNDARY
- EXISTING CONTOUR
- SCHERTZ CITY LIMITS
- O.P.R.B.C.T.
- AREA TO BE ANNEXED INTO THE CITY OF SCHERTZ
- AREA WITHIN THE SCHERTZ CITY LIMITS

LAND USE TABLE

OBJECT ID	LAND USE DESCRIPTION
1	Single-Family Residential
2	Range Improved Dryland
3	Tillable Dry (Farm)
4	Range Improved Dryland
5	Base Rate Lot
6	Tillable Dry (Farm)
7	Base Rate Lot
8	Base Rate Lot
9	Range Improved Dryland
10	Tillable Dry (Farm)
11	Range Improved Dryland
12	Family Homesite Single/Range Improved Dryland
13	Family Homesite Single
14	Family Homesite Single
15	Single-Family Residential
16	Single-Family Residential
17	Base Rate Lot

NOTE:

- NO PORTION OF THIS PROPERTY IS LOCATED WITHIN THE 100-YEAR (1% CHANCE) FLOODPLAIN AS ACCORDING TO FEMA FIRM PANEL #48187C0240F
- THE THOROUGHFARE ALIGNMENTS SHOWN ON THIS EXHIBIT ARE FOR ILLUSTRATION PURPOSES AND DO NOT SET THE ALIGNMENT. ALIGNMENT IS DETERMINED AT TIME OF FINAL PLAT.

OWNERS INFORMATION	APPLICANT	SURVEYOR
ALFRED L. FLUITT 528 APPALOOSA RUN ROUND MTN, TX 78663 PH: (817) 565-8482	PAUL LANDA, JR., PE, CFM MOY TARIN RAMIREZ ENGINEERS, LLC 12770 CIMARRON PATH, SUITE 100 SAN ANTONIO, TEXAS 78249 PH: (210) 698-5051	STEPHANIE L. JAMES, RPLS MOY TARIN RAMIREZ ENGINEERS, LLC 12770 CIMARRON PATH, SUITE 100 SAN ANTONIO, TEXAS 78249 PH: (210) 698-5051

**MTR**  
Moy Tarin Ramirez Engineers, LLC  
FIRM: TPELS:ENGINEERING F-5297 / SURVEYING F-10131500  
12770 CIMARRON PATH, SUITE 100  
SAN ANTONIO, TEXAS 78249  
TEL: (210) 698-5051  
FAX: (210) 698-5085



• Engineers  
• Surveyors  
• Planners

DRAWING NAME: ANNEXATION EXHIBIT		
PROJECT NAME: FLUITT TRACT - CARMEL RANCH SUBDIVISION ±35.407 AC. TO BE ANNEXED INTO THE CITY OF SCHERTZ		
PROJECT No.: 20210	DATE: MARCH 24, 2021	SCALE: 1"=300'

A 39.624 ACRE (1,726,013.68 SQUARE FEET) TRACT OF LAND SITUATED IN THE JULIAN DIAZ SURVEY NO. 66, ABSTRACT NO. 187, BEAR COUNTY BLOCK 5059, BEAR COUNTY, TEXAS, OUT OF A 20.003 ACRE TRACT AS CONVEYED TO ALFRED L. FLUITT BY GENERAL WARRANTY DEED WITH VENDOR'S LIEN, AS RECORDED IN VOLUME 18218, PAGE 2089, AND A 21.58 ACRE TRACT AS CONVEYED TO SUE NELL FLUITT BY GENERAL WARRANTY DEED WITH VENDOR'S LIEN, AS RECORDED IN VOLUME 8472, PAGE 1941, BOTH OF THE OFFICIAL PUBLIC RECORDS OF BEAR COUNTY, TEXAS.



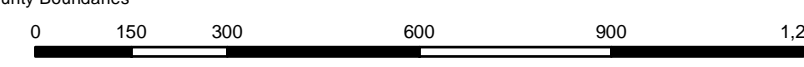




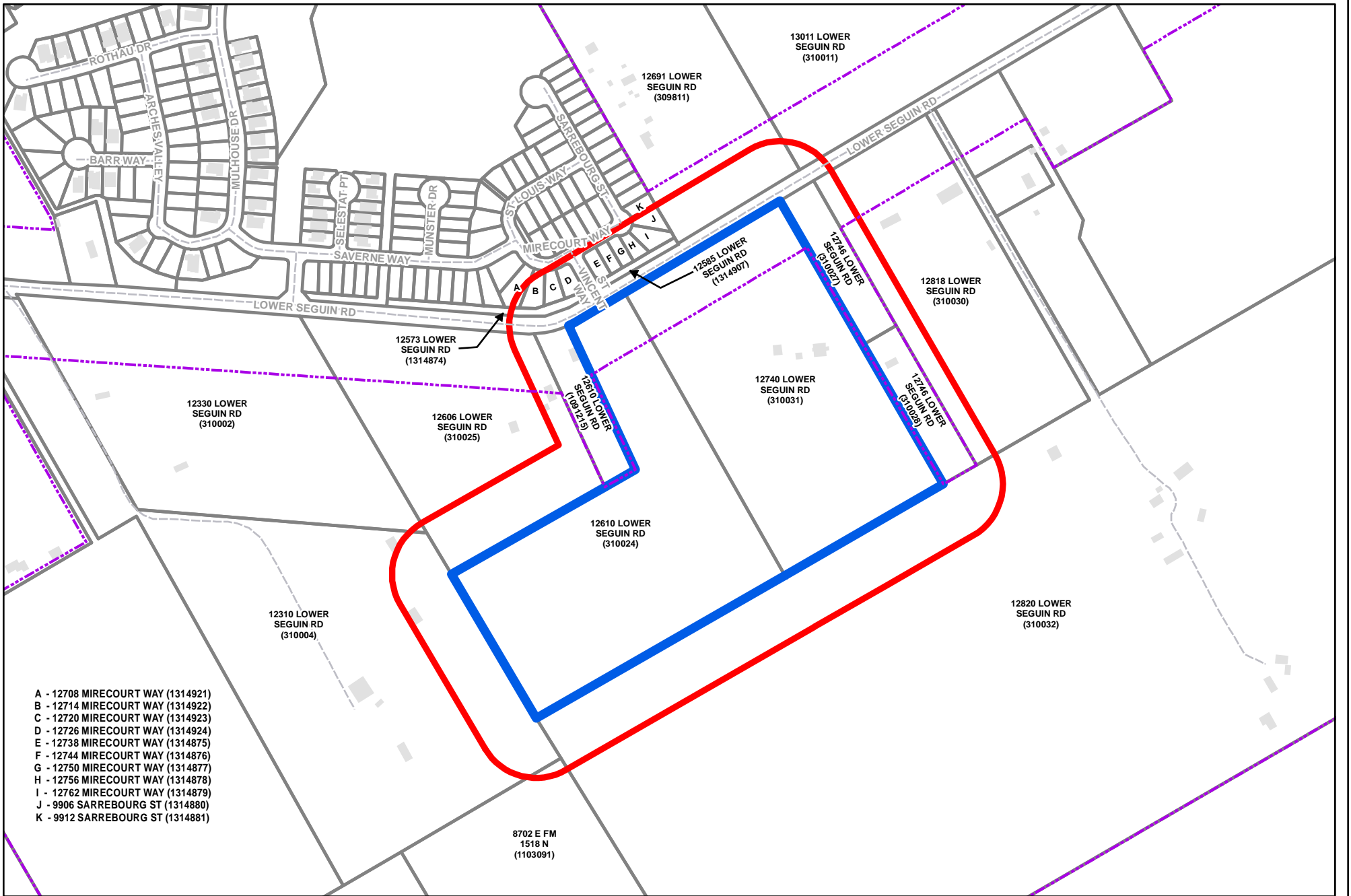
**FLUITT TRACTS**

<all other values>	60' Expansion	86' Extension	120' Proposed	1", 1 1/2"	8"	20"	Unknown	Schertz Gravity	Hydrant	200' Buffer
Highways	60' Proposed	86' Proposed	Abandoned	2", 2 1/2"	10"	24"	Neighboring Main	Schertz Pressure	Manholes	Schertz Municipal Boundary
Major Roads	60' Extension	120' Expansion	Future TxDOT	3"	12"	30"	Private Main	Neighboring Gravity	County Boundaries	County Boundaries
Minor Roads	86' Expansion	120' Extension	Highway	4"	16"	36"	Private Pressure	Private Pressure		
Other Cities				6"	18"					

1 Inch = 300 Feet







**SCHERTZ**  
COMMUNITY • SERVICE • OPPORTUNITY

# City of Schertz

## FLUIT TRACTS

Schertz Municipal Boundary 200' Notification Buffer  
 Parcel Boundaries



Last Update: September 22, 2020  
City of Schertz, GIS Specialist: Bill Gardner, gis@schertz.com (210) 619-1185  
"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 made and information 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 COUNCIL MEMORANDUM

**City Council Meeting:** May 4, 2021

**Department:** Planning & Community Development

**Subject:** Ordinance 21-S-14 Conduct a public hearing, consider and/or take action on a request to rezone approximately 39.5 acres of land to Planned Development District (PDD), generally located approximately 4,000 feet southeast of the intersection between FM 1518 and Lower Seguin Road, also known as Bexar County Property Identification Numbers 310024 and 310031, Bexar County, Texas. *First Reading* (B. James, L. Wood, N. Koplyay)

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**BACKGROUND**

**Public Notice**

Fourteen (14) public hearing notices were mailed to surrounding property owners on April 2, 2021, prior to the Planning and Zoning Commission public hearing, and a public hearing notice was published in the "San Antonio Express" on April 14, 2021, prior to the City Council public hearing. At the time of this report Staff have received 9 responses in favor of the proposed zone change that represent 6 properties inside the 200' notification buffer, and 1 response opposed to the proposed zone change from properties inside the 200' notification buffer. The owner of approximately 14.25 per of the property within the 200' notice area has protested in writing.

If a proposed zoning change is protested in writing and signed by the owners of at least twenty percent (20%) of the area of the lots or land immediately adjoining the area covered by the proposed zoning change or zoning map amendment and extending 200 feet from that area, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths (¾) of all members of the City Council according to LGC, Local Government Code § 211.006(d).

**Proposed Zoning**

The applicant is proposing to rezone 39.624 acres of land to Planned Development District (PDD). Currently, 4.217 acres of the subject property along Lower Seguin Road are located within the City limits and zoned Single-Family Residential Agricultural District (R-A), and the remaining 35.407 acres are outside the City limits and under a delayed annexation development agreement. The approximately 35.5 acres of land outside the City limits will also go through voluntary annexation proceedings along with this zone change application. The applicant is requesting to rezone all 39.624 acres of land to Planned Development District (PDD), which will consist of single-family residential uses and private parkland.

According to the Carmel Ranch PDD Development Standards, the subdivision will contain three different lot codes: 'SF55', 'SF60', and 'SF70'. All three of the proposed lot codes will have a base zoning district of Single-Family Residential (R-1). Please see "Table Two - Dimensional Requirements" within the Carmel Ranch PDD Development Standards for full details on lot sizes and building setback requirements. The Carmel Ranch PDD will contain a maximum of 131 single-family residential lots, which roughly equates to 3.3 dwelling units per acre. The proposed mix of detached single-family residential lots would result in a median lot size of 60'x118', and an average lot size of 7,283 square feet. The PDD also outlines other modifications for residential lots, including a single-story height restriction for 75% of lots abutting arterial roadways; modified width requirements for lots on cul-de-sacs, knuckles, or curves (39' at lot frontage line and 50' at the building setback line); and driveway location restrictions that prevent side orientation and access of lots on street corners. In addition to the 131

single-family residences shown on the conceptual land use plan, the developer is also proposing to construct 0.708 acres of private parkland that will include active and passive improvements, as well as a trail system that will connect the surrounding neighborhood through the drainage corridors. A 10' shared-use pathway will also be constructed along Lower Seguin Road, which will meander throughout the landscaping within the 50' roadway landscape buffer.

The Conceptual Land Plan is being revised by the Project Engineer following the Planning and Zoning Commission in order to more accurately depict the planned Residential Collector roadway that runs through the middle of the subject property. The Schertz Master Thoroughfare Plan (MTP) identifies a Residential Collector roadway with a 70' ROW section to extend from Lower Seguin Road to Interstate Highway 10, which was not clearly shown on the original Conceptual Land Plan presented to the Planning and Zoning Commission. The revised conceptual land plan will show the full 70' section intersecting with Lower Seguin Road across from St. Vincent Way in Rhine Valley Subdivision Unit 2, and then traveling southbound and stubbing for future development at the southern property boundary. The original Conceptual Land Plan that was presented to the Planning and Zoning Commission is the exhibit attached to this staff report; City Staff will work to publish an updated CCM for Ordinance 21-S-14 to include the new Conceptual Land Plan if the Project Engineer is able to provide the exhibit prior to the City Council Meeting next week.

The Carmel Ranch PDD Development Standards proposes to modify the regulations for Subdivision Entry Signs and Development Signs. Please see the below tables for the proposed changes to UDC Sec. 21.11.15 and Sec. 21.11.18 and a comparison to the current sign regulations. Please note that the Development Sign regulations in UDC Sec. 21.11.18 have been split into two different categories: wayfinding signs and model ID signs. Wayfinding signs will give directional cues to drivers to locate the Parks, trail heads and builder model homes. The Model ID Signs may be monument signs and are made of wood, masonry, or metal built signs that are located at a builder's Model Home, identifying the builder name and to clearly designate that the home is a Model Home.

#### **Proposed Sign Regulations: UDC Sec. 21.11.15 Subdivision Entry Signs**

<b>UDC Section</b>	<b>Current Regulation</b>	<b>Proposed Regulation</b>
UDC Sec. 21.11.15.C Maximum Area	32 square feet per sign face	187 square feet per sign face
UDC Sec. 21.11.15.D Maximum Number of Signs	1 sign at primary entrance; 1 sign per secondary entrance w/ 75% max area	2 signs (1 on both sides of the entrance) for the primary entrance on Lower Seguin Road; 1 sign per secondary entrance w/ 75% max area

#### **Proposed Sign Regulations: UDC Sec. 21.11.18 Development Signs**

<b>UDC Section</b>	<b>Current Regulation</b>	<b>Proposed Regulation</b>
UDC Sec. 21.11.15.A Maximum Area	32 square feet	32 square feet per sign face
UDC Sec. 21.11.15.B Maximum Height	6 feet	Wayfinding Signs: 8 feet Model ID Signs: 6 feet
UDC Sec. 21.11.15.C Number of Signs	1 sign per residential entry, not to exceed 2 total signs	Wayfinding Signs: 1 sign per number of recorded units Model ID Signs: 1 sign per Model home

UDC Sec. 21.11.15.D Duration	Installed after final plat approval and removed after 3 years or 75% build-out (whichever is soonest) for residential	Wayfinding Signs: Installed following recordation of final plat for each unit Model ID Signs: Installed following recordation of final plat and removed when model home is sold and closed
------------------------------------	---	---

### **Comprehensive Plan Conformance**

A Comprehensive Land Use Plan Amendment was approved by the Schertz City Council on December 1, 2020, which changed the future land use designations of the 39.5 acre subject area from the Estate Neighborhood and Agricultural Conservation land use designations to the Single-Family Residential land use designation. Areas classified under the Single-Family Residential land use designation are intended to utilize a traditional neighborhood design that includes a mix of residential uses, as well as limited commercial development to support the daily activities of the development. The proposed zone change meets the goals and objectives of the Single-Family Residential future land use designation, and is therefore in conformance with the Comprehensive Land Use Plan.

### **Impact to Public Facilities/Services**

In order to service the subject property the developer will be obligated to design water and sanitary sewer services throughout the subdivision during the Master Development Process in order to connect to public utility systems. The developer is also proposing to construct a lift station in association with the Saddlebrook Ranch Subdivision, and there is planned capacity for the Carmel Ranch Subdivision to connect to the public sanitary sewer system. A 15' ROW section will be required to be dedicated along Lower Seguin Road, which is identified as a Secondary Arterial Roadway (90' planned ROW section). If necessary, any further improvements to existing and planned public roadways will be identified through the Traffic Impact Analysis Study during the Master Development Plan process. In accordance with Texas Local Government Code (LGC) Chapter 43, the City must provide public services to the land on the effective date of the annexation, which is scheduled to occur simultaneously with the zone change application.

### **Compatibility with Existing and Potential Adjacent Land Uses**

The subject property is currently surrounded by land that is undeveloped or used for agricultural purposes, as well as land utilized for single-family residential. The proposed zone change to PDD, given the single-family residential base zoning throughout the entirety of the subdivision, is compatible with the existing and potential adjacent land uses.

### **GOAL**

The project goal is to rezone 39.624 acres of land to Planned Development District (PDD). Currently, 4.217 acres of the subject property along Lower Seguin Road are located within the City limits and zoned Single-Family Residential Agricultural District (R-A), and the remaining 35.407 acres are outside the City limits and under a delayed annexation development agreement. The approximately 35.5 acres of land outside the City limits will also go through voluntary annexation proceedings along with this zone change application.

### **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**



## **Planning and Zoning Commission Recommendation**

The Schertz Planning and Zoning Commission met on April 14, 2021 and voted to recommend that City Council approve Ordinance 21-S-14 (ZC2021-002) by unanimous vote (7-0).

## **Staff Recommendation**

The proposed zone change to PDD, which proposes a mix of detached single-family residential housing and an interconnected system of private trails and parkland, would allow the property to develop in accordance with the recently-approved Single-Family Residential future land use designation.

Therefore, the proposed zone change meets the goals and objectives of the Comprehensive Land Use Plan. During the public hearings for the owner-requested comprehensive plan amendment for this subject property, City Council spoke extensively regarding their vision for new residential development; City Council indicated their preference for Staff to allow a greater range of lot sizes and housing types in order to potentially allow for more affordable housing options, as well as pull back on neighborhood design element oversight to show more deference to the evolving market. Staff believes the proposed Carmel Ranch Planned Development District is compatible with City Council's direction. Therefore, Staff recommends approval of the proposed zone change to Planned Development District as submitted.

## **FISCAL IMPACT**

None

## **RECOMMENDATION**

Staff recommends approval of Ordinance 21-S-14.

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### **Attachments**

Ordinance 21-S-14

Ord. 21-S-14 Exhibit A

Ord. 21-S-14 Exhibit B

Ord. 21-S-14 Exhibit C

Original Conceptual Land Plan Exhibit

Aerial Map

Public Hearing Notice Map

Public Hearing Notice Responses

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## **ORDINANCE NO. 21-S-14**

**AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AMENDING THE OFFICIAL ZONING MAP BY REZONING APPROXIMATELY 39.5 ACRES OF LAND TO PLANNED DEVELOPMENT DISTRICT (PDD), GENERALLY LOCATED APPROXIMATELY 4,000 FEET SOUTHEAST OF THE INTERSECTION BETWEEN FM 1518 AND LOWER SEGUIN ROAD, ALSO KNOWN AS BEXAR COUNTY PROPERTY IDENTIFICATION NUMBERS 310024 AND 310031, BEXAR COUNTY, TEXAS.**

**WHEREAS**, an application to rezone approximately 39.5 acres of land located approximately 4,000 feet southeast of the intersection between FM 1518 and Lower Seguin Road, also known as Bexar County Property Identification Numbers 310024 and 310031, and 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 April 14, 2021, the Planning and Zoning Commission conducted a public hearing and, after considering the Criteria, made a recommendation to City Council to approve the requested rezoning according to the development standards set forth in Exhibit C attached herein (the “Development Standards”); and

**WHEREAS**, on May 4, 2021, 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.

**BE IT ORDAINED 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 Planned Development District (PDD)

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.

Approved on first reading the 4<sup>th</sup> day of May, 2021.

PASSED, APPROVED AND ADOPTED on final reading the 11<sup>th</sup> day of May, 2021.

---

Ralph Gutierrez, Mayor

ATTEST:

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Brenda Dennis, City Secretary  
(SEAL OF THE CITY)

Field Notes for a tract of land  
Containing 39.624 acres (1,726,013.68 square feet) tract of land

A 39.624 acre (1,726,013.68 square feet) tract of land situated in the Julian Diaz Survey No. 66, Abstract No. 187, Bexar County Block 5059, Bexar County, Texas, out of a 20.003 acre tract as conveyed to Alfred L. Fluitt by General Warranty Deed with Vendor's Lien, as recorded in Volume 18218, Page 2089, and a 21.58 acre tract as conveyed to Sue Nell Fluitt by General Warranty Deed with Vendor's Lien, as recorded in Volume 8472, Page 1941, both of the Official Public Records of Bexar County, Texas, said 39.624 acre (1,726,013.68 square feet) tract of land being more particularly described as follows:

**Beginning** at a found 1/2" iron rod on the southeast right of way line of Lower Seguin Road, (Public Right of Way), being the northwest corner of a 2.005 acre tract as conveyed to Carlos Garza, Jr. and wife Margret L. Carty by General Warranty Deed with Vendor's Lien, as recorded in Volume 6541, Page 807, of the Official Public Records of Bexar County, Texas, being the north corner of the herein described tract;

**Thence**, with the southwest boundary of said 2.005 acre tract and the northeast boundary of said 20.003 acre tract, South 30 degrees 31 minutes 38 seconds East, passing the south corner of said 2.005 acre tract being the northwest corner of a 2.003 acre tract as conveyed to James B. Carty by General Warranty Deed with Vendor's Lien, as recorded in Volume 6541, Page 812, of the Official Public Records of Bexar County, Texas, and continuing said course for a total distance of 1,262.30 feet, to a found 1/2" iron rod, being on the northwest boundary of a 194.101 acre tract as conveyed to Seanna Fraser Holtz by General Warranty Deed with Vendor's Lien as recorded in Document Number 20110157688, of the Official Public Records of Bexar County, Texas, being the south corner of said 2.003 acre tract and the southeast corner of the herein described tract;

**Thence**, with the southeast boundary of said 20.003 acre tract and the northwest boundary of said 194.101 acre tract, South 59 degrees 33 minutes 45 seconds West, a distance of 693.68 feet, to a found 1/2" iron rod, being on the northwest boundary of said 194.101 acre tract, and being the east corner of said 21.58 acre tract, being the south corner of said 20.003 acre tract and being an angle point in the herein described tract;

**Thence**, with the southeast boundary of said 21.58 acre tract and the northwest boundary of said 194.101 acre tract, South 59 degrees 39 minutes 33 seconds West, a distance of 1,098.31 feet, to a found 1/2" iron rod (bent), being on a northeast boundary of a 34.335 acre tract as conveyed to Penny Lu Fairley by Revocable Transfer on Death Deed as recorded in Document Number 20180127574, of the Official Public Records of Bexar County, Texas, and being the west corner of said 194.101 acre tract and the southwest corner of the herein described tract;

**Thence**, with the southwest boundary of said 21.58 acre tract and a northeast boundary of said 34.335 acre tract, North 30 degrees 18 minutes 41 seconds West, a distance of 655.26 feet, to a set 1/2" iron rod with an orange plastic cap stamped "MTR ENG", being the south corner of a 15.00 acre tract as conveyed to Michael Asher and Linda S. Harman by General Warranty Deed Reserving a Life Estate as recorded in Document Number 20140093450, of the Official Public Records of Bexar County, Texas, being the west corner of said 21.58 acre tract and the west corner of the herein described tract;

**Thence**, with a northerly boundary of said 21.58 acre tract and the southeast boundary of said 15.00 acre tract, North 59 degrees 32 minutes 37 seconds East, passing the east corner of said 15.00 acre tract, being the south corner of a 2.00 acre tract as conveyed to Salvador P. Alvarez by General Warranty Deed with Vendor's Lien as recorded in Document Number 20060070306, of the Official Public Records of Bexar County, Texas, and continuing said course for a total distance of 840.23 feet to a found 1/2" iron rod with yellow plastic cap stamped "REG NO. 5464", being the southeast corner of said 2.00 acre tract and an interior angle point in the herein described tract;

**Thence**, with the easterly boundary of said 2.00 acre tract, North 24 degrees 00 minutes 42 seconds West, a distance of 602.47 feet, to a found 1/2" iron rod with yellow plastic cap on the southeast right of way line of said Lower Seguin Road being the most northerly northwest corner of said 21.58 acre tract, being the north corner of said 2.00 acre tract, and being the northwest corner of the herein described tract;

**Thence**, with the southeast right of way line of said Lower Seguin Road and the most northerly northwesterly boundary of said 21.58 acre tract, North 59 degrees 36 minutes 57 seconds East, to a found 1/2" iron rod with red plastic cap stamped "SEGULL RPLS 1776", being the north corner of said 21.58 acre tract and the west corner of said 20.003 acre tract, and being an angle point in the herein described tract;

**Thence**, continuing with the southeast right of way line of said Lower Seguin Road and the northwest boundary of said 20.003 acre tract, North 59 degrees 02 minutes 01 seconds East, a distance of 692.60 feet to the **Point of Beginning**, containing 39.624 acres (1,726,013.68 square feet) of land.

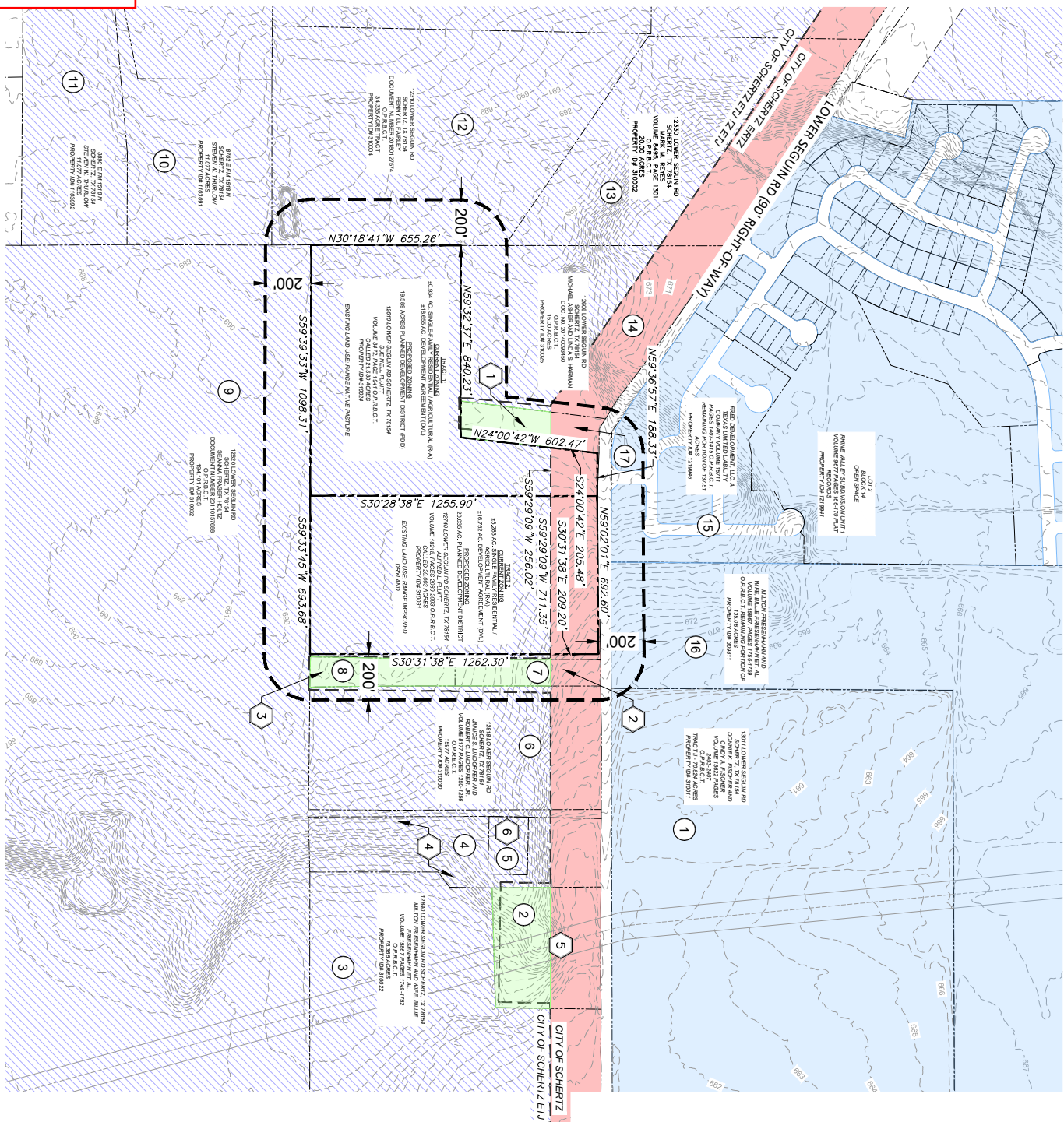
**Note:** Basis of bearings and coordinates cited were established from the State Plane Coordinate System, North American Datum of 1983, Texas South Central Zone Surface Units. A Survey of even date was prepared for this description.





Stephanie L. James, R.P.L.S.  
Registered Professional Land Surveyor  
No. 5950  
Date: 2020-11-10      Job No. 20151  
VB













## PROPERTY INFORMATION

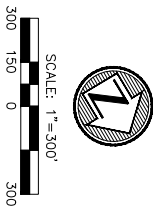
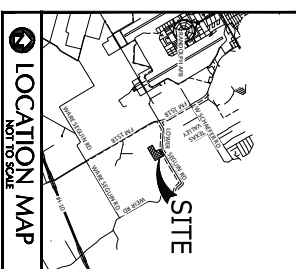
- |   |   |
|---|---|
| 1 | 1241 LOWE'S SIGNATURE, 17.7%<br>VOLUME 181819/425814<br>DOC. NUMBER 0000000000 OF R.C.I.C<br>PROCESSED 04/21/15<br>1200 ACRES           |
| 2 | 1242 LOWE'S SIGNATURE, 17.7%<br>VOLUME 181819/425814<br>VOLUME 181819/425814 OF R.C.I.C<br>PROCESSED 04/21/15<br>2000 ACRES             |
| 3 | 1243 LOWE'S SIGNATURE, 17.7%<br>VOLUME 181819/425814 OF R.C.I.C<br>VOLUME 181819/425814 OF R.C.I.C<br>PROCESSED 04/21/15<br>30000 ACRES |
| 4 | 1244 LOWE'S SIGNATURE, 17.7%<br>VOLUME 181819/425814 OF R.C.I.C<br>VOLUME 181819/425814 OF R.C.I.C<br>PROCESSED 04/21/15<br>1200 ACRES  |
| 5 | 1245 LOWE'S SIGNATURE, 17.7%<br>VOLUME 181819/425814 OF R.C.I.C<br>VOLUME 181819/425814 OF R.C.I.C<br>PROCESSED 04/21/15<br>2500 ACRES  |
| 6 | 1246 LOWE'S SIGNATURE, 17.7%<br>VOLUME 181819/425814 OF R.C.I.C<br>VOLUME 181819/425814 OF R.C.I.C<br>PROCESSED 04/21/15<br>1000 ACRES  |

## LEGEND

-  SUBJECT PROPERTY BOUNDARY  
 200' NOTIFICATION BOUNDARY  
 PROPERTY BOUNDARY  
 EXISTING CONTOUR  
 SCHERTZ CITY LIMITS  
 OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS  
 AREA TO BE ANNEXED INTO THE CITY OF SCHERTZ  
 AREA WITHIN THE SCHERTZ CITY LIMITS

## LAND USE TABLE

OBJECT ID	LAND USE DESCRIPTION
1	Single-Family Residential
2	Range Improved Dryland
3	Tillable Dry (Farm)
4	Range Improved Dryland
5	Base Rate lot
6	Tillable Dry (Farm)
7	Base Rate lot
8	Base Rate lot
9	Range Improved Dryland
10	Tillable Dry (Farm)
11	Range Improved Dryland
12	Family Homes, is Single/Range Improved Dryland
13	Family Homes, is Single
14	Family Homes, is Single
15	Single-Family Residential
16	Single-Family Residential
17	Base Rate lot



SADDLEBROOK RANCH ZONING TABLE		
CONDITION	ZONING	AREA (AC.)
EXISTING	"R-A"	4.217
	"DVL"	35.407
PROPOSED	"PDD"	39.624

NOTE:

1. NO PORTION OF THIS PROPERTY IS LOCATED WITHIN THE 100-YEAR (1% CHANCE) FLOODPLAIN AS ACCORDING TO FEMA FIRM PANEL #48187C0240F
2. THE THOROUGHFARE ALIGNMENTS SHOWN ON THIS EXHIBIT ARE FOR ILLUSTRATION PURPOSES AND DO NOT SET THE ALIGNMENT. ALIGNMENT IS DETERMINED AT TIME OF FINAL PLAN.

**MIR**

• Engineers  
• Surveyors  
• Planners

**Moy Tatin Ramirez Engineers, LLC**  
FIRM TYPE: ENGINEERING P-5297 / SURVEYING P-10131  
12770 CAMERON PARK, SUITE 100  
SAN ANTONIO, TEXAS 78248  
TEL: (210) 698-0900  
FAX: (210) 698-5000

OWNER NAME:	A 39424 JOE (176,013.68 SQUARE FEET)		
ZONING EXHIBIT:	SINGLE-FAMILY RESIDENTIAL (R1) BEAR CREEK PLANNED DEVELOPMENT		
PROJECT NAME:	CAMEL RANCH SUBDIVISION		
PROJECT MAP:	FLUENT TRACT - CAMEL RANCH SUBDIVISION		
DATE:	SCALE:		
FEBRUARY 1, 2021	1"=300'		

**CARMEL RANCH**

A Planned Development District  
Schertz, Texas

January 2021

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## **CARMEL RANCH**

### A Planned Development District Schertz, Texas

#### I. General

##### A. Introduction

Understanding that there would be circumstances in which a development might not be able to adhere to the strict regulations and design standards set forth in the Schertz Unified Development Code (UDC), the UDC established Article 5, Section 21.5.10, a Planned Development District (**PDD**), as an alternative approach to conventional land development.

The City of Schertz Unified Development Code as amended will govern development of the property, except for the following statements.

Development within the subject property is subject to general development plan review and approval by the City Council. Such general development plan review is to ensure conformance with the guidelines required herein and the goals and objectives of the City of Schertz Comprehensive Plan.

##### B. Purpose and Intent

The purpose of PDD regulations is to encourage and promote more creative, innovative, and imaginative land development than would not be possible under the regulations found in a typical zoning district. The intent is to allow substantial flexibility in planning, design and development standards in exchange for greater land values and amenities, such as enhanced parkland and open space, preservation of natural resources, pedestrian friendly environment, and deviation from the typical traffic patterns. It is this intrinsic flexibility, in the form of relief from the normal zoning ordinances, design standards, land use densities, and subdivision regulations, that allows for the definition of uses, densities and standards that will permit the alternative planning associated with a PDD and this development known as Fluitt Tract ("**Carmel Ranch**").

##### C. The Property

The attached metes and bounds (Exhibit "C") place the property within the corporate limits of the City of Schertz upon annexation and Bexar County, Texas. The property is bounded on the north by Lower Seguin Road. The property contains 39.59 acres of land.

Analysis of the property does not reveal any physical constraints or potential health or safety hazards. Further evaluation of the tract reveals that utilities are available and that the property's demands can be served.

The Overall Recreation and Open Space Master Plan (exhibit "A") are proposed. Such amenities will include both passive and active areas, as well as pathways. Walkways will provide links between park areas, open spaces, neighborhood units, and such amenities as playscapes. All of which to promote a safe and pedestrian friendly environment and overall livable community.

<b>Table One – Units and Land Use</b>	
<b>Unit</b>	<b>Land Use</b>
1	SF – 55' Lots & Drainage - Open Space
1	SF – 60' Lots & Drainage - Open Space
1	SF – 70' Lots & Drainage - Open Space
1	SF – 60' Lots
1	SF - 70' Lots
1	SF - 55' Lots
1	Park Area – Open Space

## **Affected UDC Articles**

### **II. Zoning Districts (Article 5)**

There are circumstances, due to property constraints or external factors, which do not always support the notion that one size fits all especially in applying zoning subdivision codes as such relates to property development.

As a planned development, the attached PDD Master Plan (Exhibit “B”) as well as this document defines the types of uses for this proposed PDD. The plan delineates land uses that are residential in character as well as shows parks, and open space. This document requests that those Articles and Sections affected by the zoning change be amended or modified and granted by ordinance. The following districts would be defined or modified as:

#### **A. Single-Family Residential District per the PDD**

Each area, as shown and identified on the PDD Master Plan, is comprised of a single-family residential dwelling on three (3) minimum size lots of 6,875 sf for 55-foot wide lots, 7,200 sf for 60-foot wide lots, 8,400 sf for 70-foot wide lots. The SF 55, SF 60, & SF 70 residential district areas will be subject to the same zoning regulations as the Single Family Residential District (R-1) in the Schertz UDC, unless otherwise stated in the following development standards.

## B. Dimensional and Developmental Standards (Section 21.5.7)

The applicable dimensional and development standards for the land use districts are shown in Table Two and reflect those changes proposed by this PDD development.

### 1. Additional Standards

The maximum number of single-family residential lots allowed within the Carmel Ranch PDD shall not exceed 131.

Lots developed under this PDD for residential purposes will comply with the minimum requirements established in Table Two. Such lots designated as residential will have at least the minimum area and width and depth indicated in Table Two of this proposal.

No portion of the main or primary structure on a residential lot may be located any closer to any lot line or to the street right-of-way line than is authorized in Table Two. The front yard setback shall be measured from the property line to the front face of the main or primary building. Eaves and roof line of the main structure may project into any setback line by no more than two (2) feet.

Table Two – Dimensional Requirements											
		Min Lot Size			Min. Yard Setback			Min. Off-Street Parking Spaces	Misc. Requirements		
Code	Classification	Area sf	Width ft	Depth ft	Front ft	Side ft	Rear ft	Parking	Max. Ht.	Max. Cover	Keys
SF 55	Single Family	6,875	55	125	30(c)	10	15	2	35	65%(f) 50%(g)	a, c, f, g
SF 60	Single Family	7,200	60	120	25(d)	10	15	2	35	65%(f) 50%(g)	a, d, f, g
SF 70	Single Family	8,400	70	120	25(d)	10	15	2	35	65%(f) 50%(g)	a, d, f, g
<p>Key:</p> <p>a. Corner lots against a street, not an alley, shall have a minimum fifteen (15) foot side yard building setback adjacent to the streetside.</p> <p>b. See Article 10 in the Schertz UDC for parking requirements.</p> <p>c. Houses on irregular lots, including cul-de-sacs and knuckle sacs, shall have a minimum front yard setback of 25 feet.</p> <p>d. Houses on irregular lots, including cul-de-sacs and knuckle sacs, shall have a minimum front yard setback of 20 feet.</p> <p>e. One-story homes to have a maximum impervious coverage at 65%.</p> <p>f. Two-story homes to have a maximum impervious coverage at 50%.</p>											

2. Height Restriction for Lots abutting Lower Seguin Road.

Only 25% of the Lots that abut Lower Seguin Road may be two-story homes.

### **III. Special Uses (Article 8)**

#### **A. Home Owners Association - Section 21.8.1(C)**

Even though Carmel Ranch is not proposed as a gated community, a Homeowners Association (**HOA**) will be established to provide upkeep within the development including the maintenance of common areas, landscape buffers, and maintaining fences, and/or walls, except for fences and/or walls located on individual or private lots, as well as hiking trails and multi-use paths within the development's common areas.

#### **B. Architectural Review Committee**

The Developer will establish an Architectural Review Committee (**ARC**) which will be responsible for reviewing and approving construction plans for all residential construction within the Carmel Ranch PDD. The ARC will consist of members appointed by the Developer until all of the property within the Carmel Ranch PDD has been transferred to an independent third party purchaser or to the HOA.

Construction of residential and community amenities within the Carmel Ranch PDD shall first be submitted to the ARC for approval and to verify compliance with the terms, conditions and obligations of the PDD and deed restrictions. The ARC shall review such contemplated construction and shall, if approved, provide verification in a form acceptable to the City by which the ARC verifies that the plan for the contemplated construction complies with the PDD and associated guidelines.

### **IV. Site Design Standards (Article 9)**

This proposed development conforms to the Comprehensive Land Plan for orderly and unified development of streets, utilities, neighborhood design, and public land and facilities.

#### **A. Lots (Section 21.9.3)**

Lot sizes and dimensions will conform to the minimum requirements recognized in Table Two of this PDD. In addition, the following requirements will apply to this PDD:

- On a residential corner lot, orientation of the dwelling will be forward facing and in similar physical orientation with the other houses next-door and on the same street. Side orientation will not be permitted;
- No driveway cuts or garage access will be permitted from a side orientation of a corner lot;
- The width of a residential lot located on a cul-de-sac, knuckle or curve will be no less than thirty-nine (39) feet wide at the property line, and at least fifty (50) feet wide at the building line.

## **V. Signs (Article 11)**

### **A. Subdivision Entry Signs (Section 21.11.15)**

The provisions of this section shall only apply to entry signs that identify the residential or commercial development associated with this PDD and include the Subdivision Entry Signs, Wayfinding Signs, and Park ID Signs.

#### **1. Subdivision Entry Signs:**

Subdivision Entry Signs are two types, being Primary Subdivision Entry Signs and Secondary Entry Signs. Primary Subdivision Entry Signs may be located at both sides of the primary entrance into the subdivision located on Lower Seguin Rd. Secondary entrances may have one (1) subdivision entry sign per entrance which shall be a maximum of seventy-five percent (75%) of the size of the primary entrance sign.

#### **2. Maximum Area**

##### **i. Project Entry Signs:**

Primary Subdivision Entry Signs will allow for a maximum area not to exceed one-hundred and eighty-seven (187) square feet per sign face and may consist of a surface with lettering and logo or a combination of both.

#### **3. Subdivision Entry Feature**

An entry feature which is appropriate in scale to the size of the development and incorporating masonry walls, berms and/or decorative fencing, in combination with the Primary Subdivision Entry Signs, may be constructed at the primary subdivision entrance on Lower Seguin Rd and the Secondary Entry locations provided the maximum area per entry sign(s) shall not exceed the square footage noted above.

### **B. Development Signs (Section 21.11.18)**

Development Signs are typically wood, durable plastic, or metal and advertise the community, builders, land uses within the community, and communities within the development. The signs may also be used for providing traffic direction to specific internal destinations. Development signs may be categorized into two types, being Wayfinding Signs and Model ID Signs.

Wayfinding signs will give directional cues to drivers to locate the Parks, trailheads, the next-door school and builder model homes. The Model ID Signs may be monument signs and are made of wood, masonry, or metal-built signs that are located at a builder's Model Home, identifying the builder name and to clearly designate that the home is a Model Home.

#### **1. Maximum Area**

Wayfinding Signs: Wayfinding Signs are internal to the community, and shall not exceed thirty-two (32) square feet per sign face. These signs will be double-faced and placed perpendicular to the street

2. Maximum Height

Wayfinding Signs: Wayfinding Signs shall not exceed eight (8) feet in height.

Model ID Signs: The Model ID Signs, will allow for a maximum face height of six (6) feet.

3. Number of Signs

Wayfinding Signs: One Wayfinding Signs is allowed per the number of recorded Units.

Model ID Signs: One Model ID Sign may be installed at each Model Home.

4. Duration

Wayfinding Signs: Wayfinding Signs per Unit may be installed at any time after approval and recordation of the Final Plat for each Unit identified on the Master Development Plan (Exhibit "B").

Model ID Signs: The Model ID Signs may be installed at any time after the approval and recordation of the Final Plat of the Unit in which the Model Home resides. The Model ID Signs must be removed when a model home is sold and closes.

**VI. Transportation (Article 14)**

Note: Only 25% of the Lots that abut Lower Sequin Road may be two-story homes.

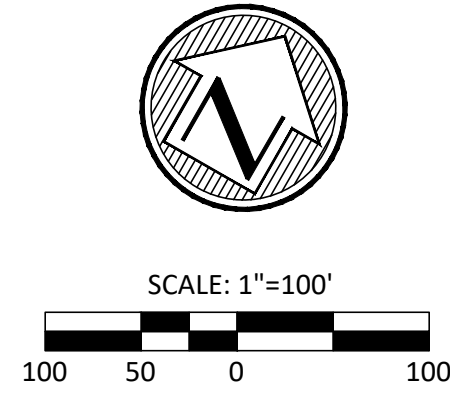
A. Sidewalks Trails (Section 21.14.6)

A meandering variable width shared-use pathway, minimum ten (10) feet wide, will be located within the 50-foot landscape buffer along the south side of Lower Sequin Road. Trails shall have a minimum width of five (5) feet and shall gently meander when possible.

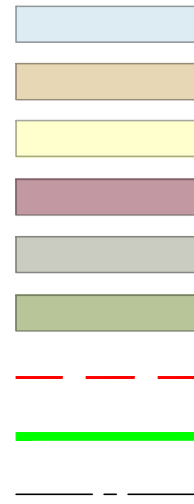
## **VII. Amendments to the Planned Development District (PDD)**

Any significant future changes from the established Dimensional Requirements for the approved PDD, which alter the concept of the PDD or increase the density, will cause the plan to be re-submitted for approval by the Planning & Zoning Commission and the City Council, including a new public hearing with applicable fees. Minor changes which do not change the concept or intent of the development shall be approved or denied administratively.





PROPOSED 55'x125' LOT  
PROPOSED 60'x120' LOT  
PROPOSED 70'x120' LOT  
15' STREET DEDICATION  
LANDSCAPE BUFFER/TRAIL TRACT  
DRAINAGE, DETENTION AND RETENTION AREA  
PROPOSED TRAIL  
PROPOSED CURB "LOCAL A"  
PROPOSED STREET CENTERLINE

[illegible]

**MTR**

- Engineers
- Surveyors
- Planners

**Moy Tarin Ramirez Engineers, LLC**

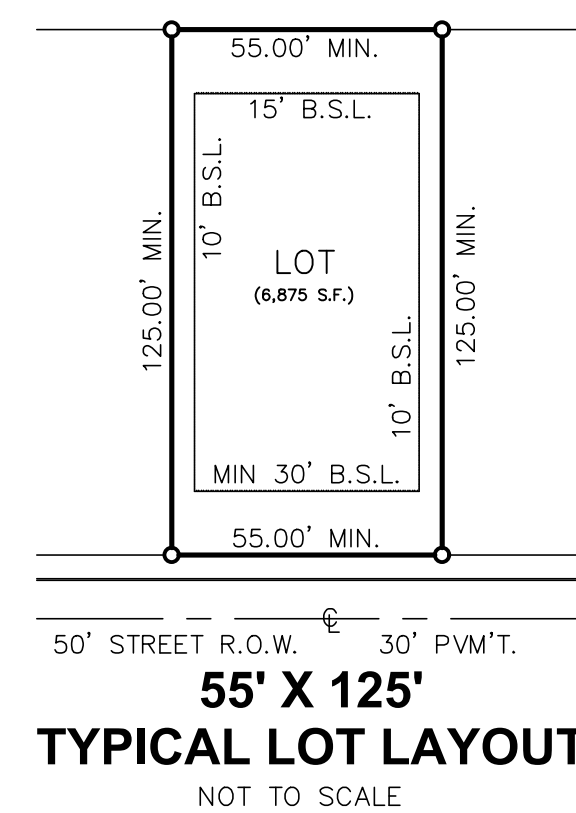
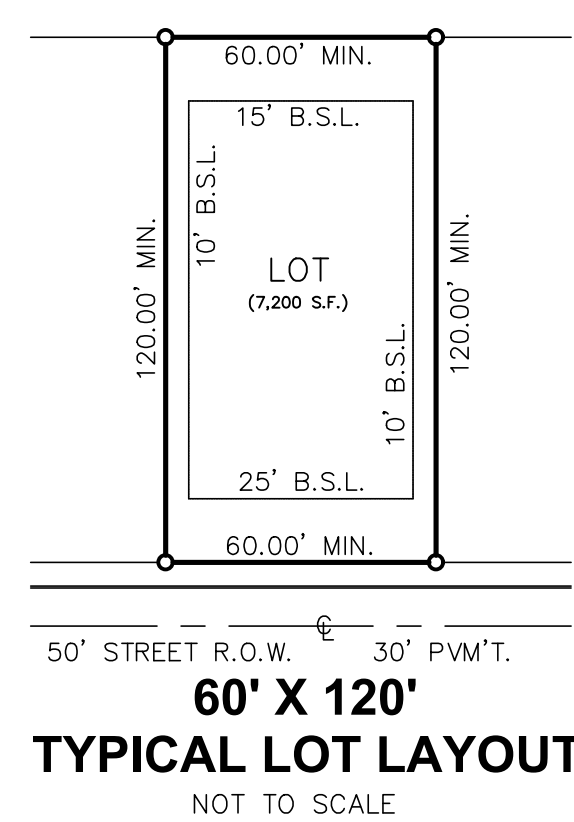
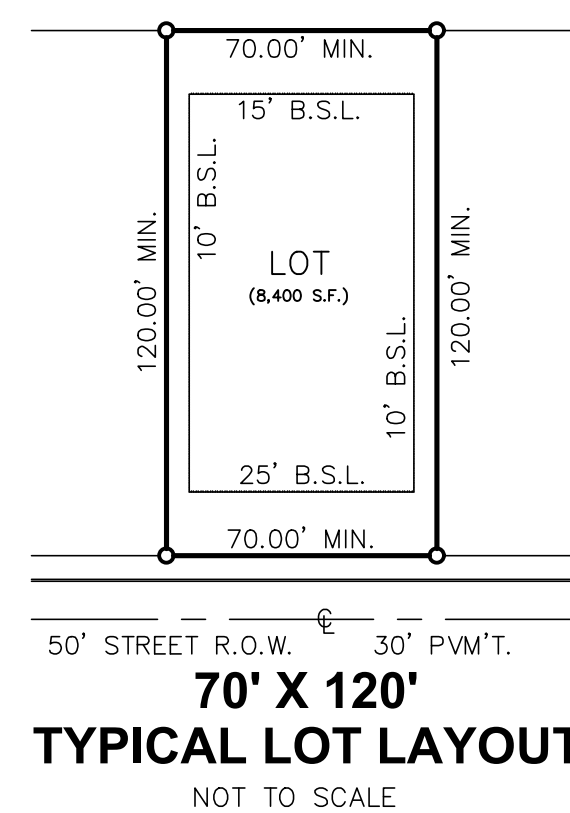
FIRM TBPELS ENG F-5287 SVT F-10131500  
7770 CIMARRON PATH, SUITE 100 TEL: (210) 698-5050  
SAN ANTONIO, TEXAS 78249 FAX: (210) 698-5050

*SHEET*

**EX1**

LOT SIZE	QUANTITY
70'x120'	31
60'x120'	50
55'x125'	50
TOTAL	131



**AVERAGE LOT AREA 7,360 S.F.**



E:\Fluitt\_Trest\Drawings\Exhibits\2020-10-07\_revised\_layout\00\_BASE-2021-01-06.dwg



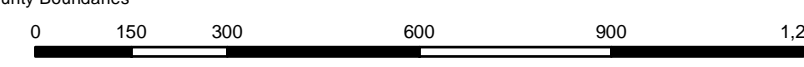




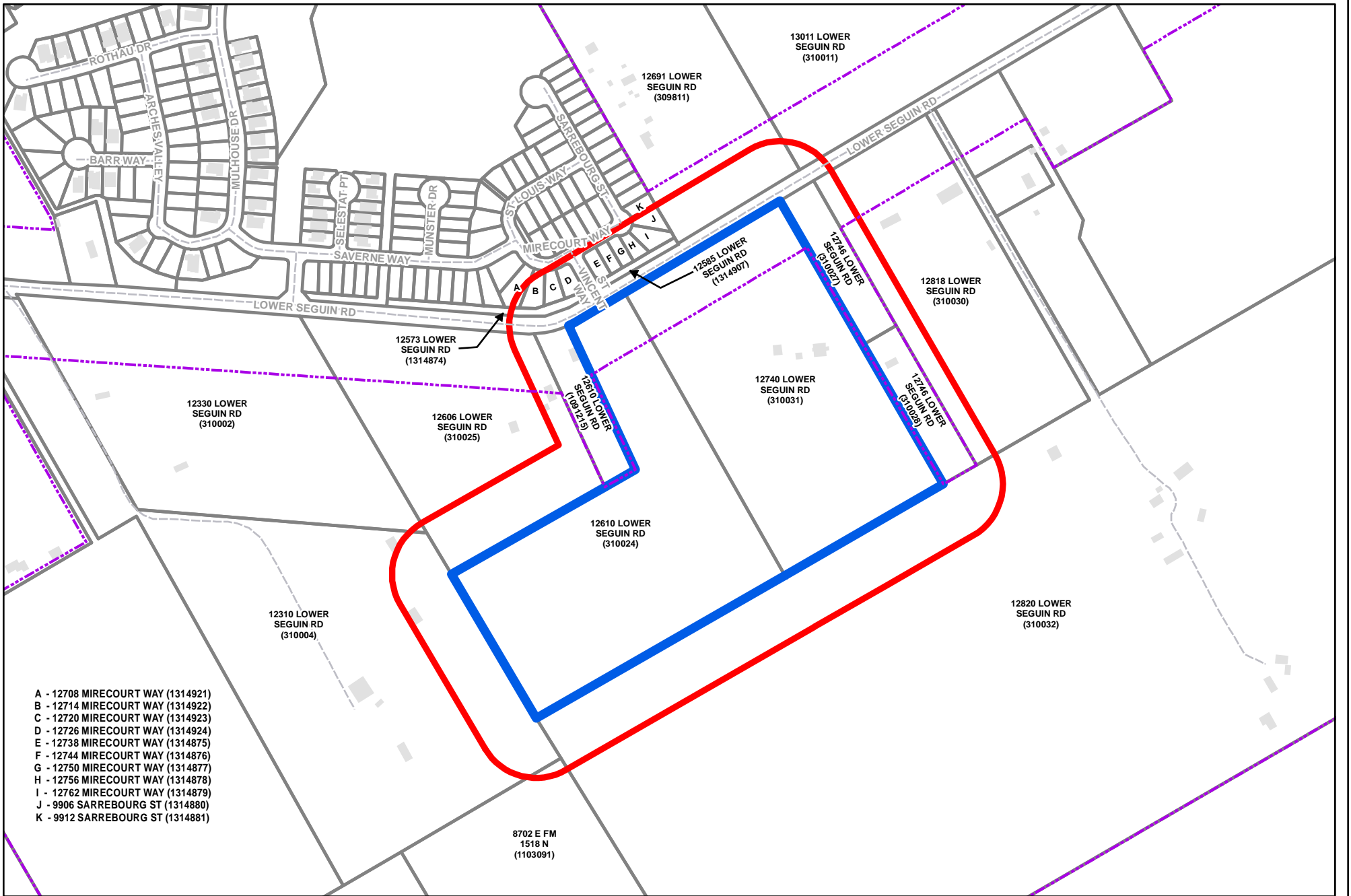
**FLUITT TRACTS**

<all other values>	60' Expansion	86' Extension	120' Proposed	1", 1 1/2"	8"	20"	Unknown	Schertz Gravity	Hydrant	200' Buffer
Highways	60' Proposed	86' Proposed	Abandoned	2", 2 1/2"	10"	24"	Neighboring Main	Schertz Pressure	Manholes	Schertz Municipal Boundary
Major Roads	60' Extension	120' Expansion	Future TxDOT	3"	12"	30"	Private Main	Neighboring Gravity	County Boundaries	County Boundaries
Minor Roads	86' Expansion	120' Extension	Highway	4"	16"	36"	Private Pressure	Private Pressure		
Other Cities				6"	18"					

1 Inch = 300 Feet







**SCHERTZ**  
 COMMUNITY • SERVICE • OPPORTUNITY

# City of Schertz

## FLUIT TRACTS

 Schertz Municipal Boundary  200' Notification Buffer  
 Parcel Boundaries



Last Update: September 22, 2020

City of Schertz, GIS Specialist: Bill Gardner, gis@schertz.com (210) 619-1185

"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 made and information 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."

Reply Form

I am: in favor of ☒

opposed to ☐

neutral to ☐

the request for ZC2021-002

COMMENTS: \_\_\_\_\_

NAME: Alfred Leon Fluit SIGNATURE Alfred L. Fluit  
(PLEASE PRINT)

STREET ADDRESS: 528 Appaloosa Run, Round Mt., Tx 78663

DATE: 4-6-21

1400 Schertz Parkway



Schertz, Texas 78154



210.619.1000



[schertz.com](http://schertz.com)

## Megan Harrison

---

**From:** Norma Frasier  
**Sent:** Monday, April 12, 2021 5:36 PM  
**To:** [planning@schertz.com](mailto:planning@schertz.com)  
**Subject:** April 14, 2021 Public Hearing

Nick Kopyay, I am very much in favor of the request to rezone the 39.5 acre to planned Development District PPD located on Lower Seguin Road.

I cannot be there in person because of health reasons Sincerely Alfred Fluitt. My email is [drhappydvm@gmail.com](mailto:drhappydvm@gmail.com)

NOTICE OF PUBLIC HEARING

April 2, 2021

Dear Property Owner,

The Schertz Planning and Zoning Commission will conduct a public hearing on **Wednesday, April 14, 2021 at 6:00 p.m.** located at the Municipal Complex Council Chambers, 1400 Schertz Parkway, Building #4, Schertz, Texas to consider and make recommendation on the following item:

**ZC2021-002** – A request to rezone approximately 39.5 acres of land to Planned Development District (PDD), generally located approximately 4,000 feet southeast of the intersection between FM 1518 and Lower Seguin Road, also known as Bexar County Property Identification Numbers 310024 and 310031, Bexar 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. *This form is used to calculate the percentage of landowners that support and oppose the request.* You may return the reply form below prior to the first public hearing date by mail or personal delivery to Nick Kopyay, Planner, 1400 Schertz Parkway, Schertz, Texas 78154, by fax (210) 619-1789, or by e-mail [planning@schertz.com](mailto:planning@schertz.com). If you have any questions please feel free to call Nick Kopyay, Senior Planner at (210) 619-1780.

Sincerely,

*Nick Kopyay*

Nick Kopyay  
Senior Planner

Reply Form

I am: in favor of ☒ opposed to ☐ neutral to ☐ the request for ZC2021-002

COMMENTS: \_\_\_\_\_

NAME: JEANNE ZWICKE SIGNATURE Jeanne Zwicke  
(PLEASE PRINT)

STREET ADDRESS: 1545 GIN RD SEGUIN TX 78155

DATE: 4-13-21

(12691 LOWER SEGUIN RD  
SCHERTZ)

## NOTICE OF PUBLIC HEARING

April 2, 2021

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Sincerely,

Nick Kopyay  
Senior Planner

## Reply Form

I am: in favor of ☒ opposed to ☐ neutral to ☐ the request for ZC2021-002

COMMENTS: \_\_\_\_\_

NAME: Elizabeth Basha SIGNATURE Elizabeth Basha  
(PLEASE PRINT)

STREET ADDRESS: 1637 Santa Clara Loop Marion 78124

DATE: 4-11-21

## NOTICE OF PUBLIC HEARING

April 2, 2021

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Sincerely,

Nick Kopyay  
Senior Planner

## Reply Form

I am: in favor of ☒ opposed to ☐ neutral to ☐ the request for ZC2021-002

## COMMENTS:

NAME: Billie Friesenhahn SIGNATURE Billie Friesenhahn  
(PLEASE PRINT)

STREET ADDRESS: 12691 Lower Seguin Rd Schertz 78154

DATE: 4-11-21



NOTICE OF PUBLIC HEARING

April 2, 2021

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Sincerely,

*Nick Kopyay*

Nick Kopyay  
Senior Planner

Reply Form

I am: in favor of ☒ opposed to ☐ neutral to ☐ the request for ZC2021-002

COMMENTS: \_\_\_\_\_

NAME: Milton Fresenhahn SIGNATURE Milton Fresenhahn  
(PLEASE PRINT)

STREET ADDRESS: 12691 Lower Seguin Rd Schertz 78154

DATE: 4-11-21

NOTICE OF PUBLIC HEARING

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Sincerely,

*Nick Kopyay*

Nick Kopyay  
Senior Planner

Reply Form

I am: in favor of ☒ opposed to ☐ neutral to ☐ the request for **ZC2021-002**

COMMENTS: \_\_\_\_\_

NAME: Cindy Fischer SIGNATURE Cindy Fischer  
(PLEASE PRINT)

STREET ADDRESS: 13011 Lower Seguin Road

DATE: 4-5-2021

NOTICE OF PUBLIC HEARING

April 2, 2021

Dear Property Owner,

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Sincerely,

*Nick Kopyay*

Nick Kopyay  
Senior Planner

Reply Form

I am: in favor of ☒ opposed to ☐ neutral to ☐ the request for **ZC2021-002**

COMMENTS: \_\_\_\_\_

NAME: Donnie Fischer SIGNATURE: Donnie Fischer  
(PLEASE PRINT)

STREET ADDRESS: 13011 Lower Seguin Rd

DATE: 4-5-2021

NOTICE OF PUBLIC HEARING

April 2, 2021

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Sincerely,



Nick Kopyay  
Senior Planner

Reply Form

I am: in favor of ☒ opposed to ☐ neutral to ☐ the request for **ZC2021-002**

COMMENTS: \_\_\_\_\_

NAME Steven William Thibodeaux SIGNATURE   
(PLEASE PRINT)

STREET ADDRESS: 8702 E. FM 1518 N. Schertz TX 78154

DATE: \_\_\_\_\_

## NOTICE OF PUBLIC HEARING

April 2, 2021

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Sincerely,

Nick Kopyay  
Senior Planner

## Reply Form

I am: in favor of ☐ opposed to ☒ neutral to ☐ the request for **ZC2021-002**COMMENTS: see ATTACHED sheetNAME: GARY FAIRLEY  
(PLEASE PRINT)SIGNATURE Mary FairleySTREET ADDRESS: 12310 Lower Seguin Rd.DATE: 4-14-2021

RE: request ZC2021-002

There are several reasons I am opposed to the zoning request for those parcels of land, first of all 90% or better of the land that lies from Lower Seguin Rd. to trainer hale rd. or better is either zoned ag or wildlife at the present time which makes the request not compatible with present land use.

Second: lots of wildlife frequent the area and to put that type of zoning will block off their movements and feeding.

Third it is of my opinion that the process of just changing the zoning on a parcel of land to planned development district with out some preliminary studies being done is like getting the horse before the cart.

Questions that need to be answered first:

Traffic, how many cars now use lower seguin rd either to go their home, take their kids to school or use it to go into Guadalupe county? The road is narrow, hilly and with several curves. Another subdivision started before the 1518 widening projects is only going to further the congestion during that time.

What about sewer, there are some subdivisions that are running on temporary sewer systems now and the elevation of the land in question would require a lift station if it is tied into the proposed sanitation plant.

What about water and drainage there is only a 6 inch main running down lower seguin rd. More than likely that would not be large enough to furnish enough water for that size of development. Drainage and safety is the other part that needs to be considered. In 2002 the rains flooded the lower area of lower seguin rd. in front of Mike Ashers farm. People then where not able to reach their homes in vehicles due to the water over the road for several days. Just because there is open fields next to the parcels being rezoned does not address the issue as there is a federal law that prohibits some one from putting more water on another persons property than what the normal flow would have been. Considering factors like roads, sidewalks and structures (at least 5 to the acre) run off will be a major concern.

As a land owner and farmer I enjoy the peaceful setting of the farm, visited every day and night by a host of animals, watching the deer graze on one of my hay fields bring great pleasure to my wife and i.

But at the same time I do not wish my farm to become a sanctuary for animals being displaced by development.

On a personal note I ask the planning and zoning why is it when I go down my drive that I have a junkyard on one side and carport city on the other? Storm water run off from neighboring tracks of land is creating erosion issues; i.e. loss of production. We have as of yet receive a request for a variance.

If you have any questions or concerns please to contact me.

Gary & Penny Fairley

12310 Lower Seguin Rd.

210-240-9993

## CITY COUNCIL MEMORANDUM

**City Council Meeting:** May 4, 2021

**Department:** Planning & Community Development

**Subject:** Ordinance 21-S-15 Conduct a public hearing and consideration and/or take action on a request to rezone approximately 66 acres of land from Single-Family Residential District (R-2) and Neighborhood Services District (NS) to Planned Development District (PDD), generally located southwest of the intersection between Schertz Parkway and Wiederstein Road, City of Schertz, Guadalupe County, Texas. *First Reading* (B. James, L. Wood, N. Kopyay)

---

### BACKGROUND

#### Public Notice

Sixty (60) public hearing notices were mailed to surrounding property owners on April 2, 2021, prior to the Planning and Zoning Commission public hearing, and a public hearing notice was published in the “San Antonio Express” on April 14, 2021, prior to the City Council public hearing. At the time of this report Staff have received 2 responses in favor of the proposed zone change that represent 198 properties inside the 200' notification buffer, and 34 responses opposed to the proposed zone change that represent 34 different properties inside the 200' notification buffer. The 34 properties opposed to the proposed zone change represent approximately 18.6% (8.85 acres) of the total area within 200 feet of the boundary of the proposed zone change (46.99 acres). We also received 5 responses opposed to the proposed zone change from property owners outside the 200' notification buffer.

If a proposed zoning change is protested in writing and signed by the owners of at least twenty percent (20%) of the area of the lots or land immediately adjoining the area covered by the proposed zoning change or zoning map amendment and extending 200 feet from that area, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths (¾) of all members of the City Council according to LGC, Local Government Code § 211.006(d).

#### Proposed Zoning

The applicant is proposing to rezone approximately 66 acres of land from Single-Family Residential District (R-2) and Neighborhood Services District (NS) to Planned Development District (PDD), generally located southwest of the intersection between Schertz Parkway and Wiederstein Road. The Heritage Oaks Planned Development District will consist of single-family residential houses and public trails. Subsequent to the Planning and Zoning Commission, the ownership of one of the lots of Live Oaks Hills came into question. The applicant has removed that lot from the rezoning request. This removal will require some slight modifications to the layout in one area as a result.

#### Coving Plan

This application is proposing to zone change approximately 66 acres of land from Single-Family Residential District (R-2) and Neighborhood Services District (NS) to Planned Development District (PDD) in order to develop a detached, single-family residential neighborhood. As shown on the Conceptual Land Plan (Exhibit 2 within the attached PDD document), The Heritage Oaks Subdivision is designed through a coving plan. Contrary to traditional urban grid patterns, the coving plan is characterized by winding roads and meandering setbacks that result in less impervious coverage, as well as increased open space and potential tree preservation.

## **Revised Lot Standards**

According to the proposed Heritage Oaks PDD Development Standards, the base zoning for the subject property will be Single-Family Residential District (R-1); the development of any residential lots will follow the R-1 zoning district unless otherwise stated in the PDD. The Heritage Oaks PDD proposes revised dimensional requirements, which outline a minimum lot size of 6,000 square feet, with a minimum width of 50 feet and a minimum depth of 120 feet. While the minimum rear yard setback will remain the same as the R-1 base zoning district, the minimum front yard setback will be reduced from 25 feet to 20 feet and the minimum side yard setback will be reduced from 10 feet to 5 feet. The minimum side yard setback for rectangular shaped lots within the PDD will be set at 7.5 feet instead of 5 feet. Please see Table 3 on page 6 of the attached PDD document for full details on the proposed lot dimension standards. While these are the absolute minimum lot dimensions for the buildable, single-family residential lots in the Heritage Oaks PDD, they were put into place for a few lots within the Heritage Oaks Subdivision according the Coving Plan the mean lot size for the development is 9,020 square feet and the median lot size for the development is 8,432 square feet.

The dimensional requirements were modified following the Planning and Zoning Commission meeting in order to provide a little flexibility for the full civil engineering design work that will be done with the future Master Development Plan. The applicant has also added a requirement within the PDD lot standards, which states, "no permanent structures or heating, ventilation, and air conditioning equipment will be allowed in side yards less than 10 feet." This additional requirement, as well as the newly increased side yard setbacks from 5 feet to 7.5 feet for rectangular shaped lots, was established in response to the Planning and Zoning Commission's concerns regarding the potential impact of the side yard setbacks on our emergency services. The Conceptual Coving Plan will be revised in between City Council's first and second reading of Ordinance 21-S-15 in order to more accurately reflect the new dimensional changes.

The maximum number of lots allowed within the subdivision is 215, resulting in a maximum density of 3.25 dwelling units per acre. In addition to the dimensional and density requirements the Heritage Oaks PDD outlines other regulations for the single-family residential lot, including reduced lot width for lots located on a cul-de-sac, knuckle-sac, or curve (30 feet instead of 55 feet), and a mandatory "T" turnaround driveway for all lots that front Wiederstein Road. The mandatory pavement section for the "T" turnaround driveways can be seen within Exhibit 3 of the PDD document.

The maximum number of lots allowed within the subdivision was modified from 208 lots to 215 lots following the Planning and Zoning Commission meeting in order to provide a little flexibility for the full civil engineering design work that will be done with the future Master Development Plan.

## **Revised Street Standards**

Given Wiederstein Road's status as a Residential Collector on our Master Thoroughfare Plan (MTP), individual residential lots would typically not be allowed to access the roadway and would instead have frontage on a local street. However, in this case, lots being allowed to front on Wiederstein Road is an integral part of the coving plan design of the neighborhood. The developer has planned alleys along the southern side of Wiederstein Road (eastbound traffic) in an effort to reduce the total amount of driveways accessing the roadway and to mitigate potential traffic concerns. The required "T" turnaround driveways along the lots that front Wiederstein Road also aim to ease the transition of automobiles from private driveways to the Residential Collector by allowing residents to avoid reversing into the road. While the overall width of the roadway is planned to remain as the MTP Residential Collector standard of a 70' ROW section with 38' of pavement, the cross-section for Wiederstein Road will be slightly modified to widen the bike lane on one side of the road. The intended effect of this modification is to create a 12' bike lane/parallel parking section that will provide parking options on Wiederstein Road for lots that take their access from the alleys. The trade-off of this regulation is that without widening the overall roadway section, the bike lane on the other side of the roadway will be reduced to 4'. Please see



the proposed roadway section for Wiederstein Road within Figure 5 of the attached PDD document (page 11).

The developer is also proposing to revise the alignment of Wiederstein Road; instead of equally bisecting the Live Oak Hills subdivision as the road does in Selma, Wiederstein Road will swing to the south and curve back up to realign with the existing road as it crosses West Dietz Creek. While the local streets within the Heritage Oaks Subdivision will adhere to the minimum curvature allowed by the city, the Residential Collector will provide a minimum radius of 300'. The street section will utilize reverse curves instead of the required tangent length of 150' for this roadway classification. The City of Schertz Engineering Department does have concerns about the roadway not having a tangent section between the curves, because this generally requires drivers to work harder to be more attentive and monitor speeds more closely. It would be more beneficial to have larger radii on the roadway curvatures; however, Staff understands the specific Wiederstein Road ROW section is necessary for the implementation of the overall coving plan.

Under the revised street requirements highlighted on Page 10 of the PDD document, all cul-de-sacs will have a maximum length of 500 feet and shall have a minimum turnaround radius of 100 feet in diameter, as opposed to the currently required minimum cul-de-sac radius of 150 feet in diameter. The cul-de-sac extending to the south of Wiederstein Road that wraps around the GVEC electric substation towards the remainder of the subject property will be allowed to extend 2,225 feet given the physical barrier of the surrounding properties. A variable width emergency access driveway extending from Wiederstein Road right next to Dietz Creek will provide the second point of access to this part of the subdivision, as shown on the Conceptual Land Plan (Exhibit 2 within the attached PDD document).

The PDD also proposed a revised maximum block length of 1,733', as opposed to the currently required maximum block length of 1,400' for minor and secondary streets. This regulation specifically pertains to the local roadway proposed to the north of Wiederstein Road, as shown within Figure 3 of the attached PDD document (page 17). Typically, according to UDC Sec. 21.9.2, a waiver to the required block length may be allowed in cases where physical barriers, property ownership, or adjacent existing subdivisions create conditions where it is appropriate; in this case, the developer is requesting to write in an extended maximum block regulation into the PDD document rather than request a waiver.

Even though the Planning and Zoning Commission cited the reduced alley sections as a reason for recommending denial of the proposed zoning application, the alley sections proposed in the Heritage Oaks PDD are not actually substandard in comparison to the current UDC standards. The alleys proposed in the coving plan are 24' of ROW with 20' of pavement, and the minimum paved alley section required in UDC Sec. 21.14.1.P.1 is 20' of ROW with 20' of pavement. Also, the alleys proposed in the Heritage Oaks PDD only have single-family residential homes fronting one side of the alley instead of both sides. All of this should mitigate the Commissioners' concerns on alley width.

### **Revised Parkland and Trail Requirements**

Under the proposed Heritage Oaks PDD Development Standards, the park and open space dedication requirements will not apply to development within the subdivision. The intent of UDC Sec. 21.9.10 is to only apply parkland dedication/fee-in-lieu requirements towards the creation of any new dwelling units, and this has influenced past cases in which a plat was filed to further subdivide residential land where we have only applied parkland dedication/fee-in-lieu requirements to any additional lots. Given that approximately 45 acres out of the 66-acre subject property was already platted as part of the Live Oak Hills Subdivision, the developer could potentially construct homes on the 180 platted lots without dedicating any parkland or paying fees-in-lieu of dedicating land. The parkland dedication/fee-in-lieu requirements for Heritage Oaks would only apply to any dwelling units constructed in excess of 180. Since there is a maximum density requirement of 215 lots throughout the entire subdivision, the parkland dedication/fee-in-lieu requirements would only apply to a maximum of 35 lots within the

Heritage Oaks Subdivision; however, the developer is proposing to remove the requirements for the neighborhood through the PDD.

The developer will be constructing 10' concrete trails generally in accordance with the Trails Master Plan within the Schertz MTP: one will be located along the drainage/open space corridor along Wiederstein Road, stretching from Schertz Parkway to West Dietz Creek, and the other will be located along West Dietz Creek, stretching from Wiederstein Road to the southern edge of the subject property. In order to Dietz Creek, stretching from Wiederstein Road to the southern edge of the subject property. In order to help continue the trail that extends under the high-line electric easement to the northeast, the developer will be required to dedicate 30' for a trail where the high-line easement overlaps with his property. For reference, please see the Wiederstein and West Dietz Creek Trail Plan, included as Exhibit 4 in the PDD document.

### **Revised Landscaping and Tree Preservation/Mitigation Requirements**

The developer is revising the landscaping requirements for detached single-family residential lots; according to UDC Sec. 21.9.7.E.3.a, the current requirement for each single-family residential lot is to provide a minimum of three (3) shade trees which shall include a minimum of one (1) tree in the front yard and one (1) tree in the rear yard. The Heritage Oaks PDD will keep this requirement, but will also add the requirement that each single-family lot shall have a minimum of 15 caliper inches. Our current minimum planting size is 2.5 caliper inches, so the 3 tree current minimum equates to 7.5 caliper inches per lot. This new requirement would double the required inches on a single-family residential lot. The additional requirement is written in terms of increased inches instead of increased trees in order to promote the preservation of existing Protected and Heritage Class trees.

The Heritage Oaks PDD also revises the tree preservation and mitigation requirements outlined in UDC Sec. 21.9.9. Under the current protection standards, 25% of all Protected Class (8-24 caliper inches) and Heritage Class (24+ caliper inches) trees must be preserved. Under the current mitigation standards, the tree mitigation fee is set at \$100/inch. Any removed Protected Class trees shall be mitigated at a 1:1 caliper inch ratio, and any removed Heritage Class trees shall be mitigated at a 3:1 caliper inch ratio. In practice, this equates to \$100/inch for Protected Class trees and \$300/inch for Heritage Class trees. There are specific tree species that are exempt from preservation/mitigation requirements, as well as trees located within ROW shown on the Master Thoroughfare Plan, trees located within utility easements, and trees that are damaged or dying. The Heritage Oaks PDD proposes the preservation of at least 50% of all Heritage trees, with all trees located within proposed ROW, utility easements, and drainage easements being exempt from this requirement. The Heritage Oaks PDD also proposes no tree preservation or mitigation requirements for Protected Class trees, and proposed no tree mitigation requirements for Heritage Class trees. Please see the below table detailing the differences between the current and proposed landscaping and tree preservation/mitigation regulations.

### **Current vs. Proposed Landscaping and Tree Preservation/Mitigation Regulations**

<b>UDC Section</b>	<b>Current UDC Regulations</b>	<b>Proposed Regulation</b>
UDC Sec. 21.9.7.E.3.a	3 trees minimum per lot, with at least 1 tree in the front yard and 1 tree in the backyard (effectively 7.5" minimum per lot)	3 trees minimum per lot, with at least 1 tree in the front yard and 1 tree in the backyard; 15" total minimum per lot

UDC Sec. 21.9.9.C	25% of all Protected and Heritage trees preserved (with species exemptions, MTP roadway exemption, utility easement exemption, and damaged/dying tree exemption)	No Protected tree preservation requirements and 50% Heritage trees preserved (with species exemptions, all ROW exemption, utility easement exemption, drainage easement exemption, and damaged/dying tree exemption)
UDC Sec. 21.9.9.D	\$100/inch Protected tree mitigation fees; \$300/inch Heritage tree mitigation fees	No tree mitigation fees

A preliminary tree preservation study was performed only for the Heritage Class trees on the subject property with the following results: 127 total Heritage Class trees totaling 3,778 caliper inches. Staff believes it is important to put the above requirements into context given the heavily-wooded nature of the subject property; without taking into consideration the proposed exemptions for Heritage Class tree preservation in the Heritage Oaks PDD, the preservation of 50% of the Heritage Class trees instead of the currently required 25% would result in an approximate 945 extra caliper inches, or roughly 32 extra trees sized at 30 caliper inches. In the same vein, under the current mitigation requirements the fees for 50% of the Heritage Class trees would total approximately \$566,700. The proposed tree preservation and mitigation regulations for the Heritage Oaks PDD would offer both a significant upgrade in Heritage Class tree preservation, but also a significant reduction in Heritage Class tree mitigation, Protected Class tree preservation, and Protected Class tree mitigation.

### **Comprehensive Plan Conformance**

The Comprehensive Plan identifies the subject properties under the Single-Family Residential land use designation. Areas classified under the Single-Family Residential land use designation are intended to utilize a traditional neighborhood design that includes a mix of residential uses, as well as limited commercial development to support the daily activities of the development. The proposed zone change meets the goals and objectives of the Single-Family Residential future land use designation, and is therefore in conformance with the Comprehensive Land Use Plan.

### **Impact to Public Facilities/Services**

In order to service the subject property the developer will be obligated to design water and sanitary services throughout the subdivision during the Master Development Process in order to connect to public utility systems. The proposed zone change should have a negligible effect on the existing planned public water and wastewater system since the base zoning district of the proposed PDD is Single-Family Residential (R-1). The developer will be responsible for improving Wiederstein Road to its ultimate section, per the proposed cross-section illustrated in the attached PDD document. The proposed rezoning request should also have a minimal impact on public services, such as schools, fire, police, parks and sanitation services

### **Compatibility with Existing and Potential Adjacent Land Uses**

The subject property is currently surrounded by land utilized as single-family residential, with a small amount of commercially zoned property to the north. The proposed zone change to PDD with R-1 as the base zoning district is compatible with the existing and potential adjacent land uses.

### **GOAL**

The project goal is to rezone approximately 66 acres of land from Single-Family Residential District (R-2) and Neighborhood Services District (NS) to Planned Development District (PDD), generally located southwest of the intersection between Schertz Parkway and Wiederstein Road. The Heritage Oaks Planned Development District will consist of single-family residential houses and public trails.

## **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**

### **Planning and Zoning Commission Recommendation**

The Schertz Planning and Zoning Commission met on April 14, 2021 and voted to recommend that City Council deny ZC2020-005 (Ordinance 21-S-15) by a 6-1 vote.

Commission Chair Outlaw provided thorough feedback on a number of the concerns raised by surrounding property owners. A number of the residents were concerned that the "greenbelt" behind a section of lots within Carolina Crossing is being taken away from the neighborhood; however, Commission Chair Outlaw correctly explained that the "greenbelt" is actually private property already zoned for single-family residential land uses. He continued by explaining that the Planning and Zoning Commission frequently has little to no control over development that meets the zoning requirements, and for unique cases, such as this zoning application, the Commission's goal is to find the best possible way to develop the property given the existing conditions. Commission Chair Outlaw also addressed resident concerns over water capacity, during which he clarified that the City works with Schertz-Seguin Local Government Corporation to offer consistent water service that is sourced from the Carrizo Aquifer in Gonzalez County, Texas. He emphasized that the City of Schertz does not currently have a water supply problem. Another common resident concern was the impact of the development on the traffic system. Commission Chair Outlaw explained that traffic is a byproduct of growth, but our Master Thoroughfare Plan was put into place in order to mitigate traffic concerns that arise from development and make our City more accessible.

The Planning and Zoning Commission and Commission Chair Outlaw appreciated the effort that went into the design of the Heritage Oaks subdivision, and maintained that this is the kind of unique development that the Planned Development District zoning classification is intended for. They found the proposed PDD to be aesthetically pleasing, and stated that the concept is a marked improvement on the existing lotting pattern established in the Live Oak Hills Subdivision. However, the following Commissioners ultimately recommended denial for the undermentioned reasons:

- Commission Chair Outlaw, Commissioner Rae, & Commissioner Greenwald
  - The reduced side yard setbacks from 10' to 5' for all the buildable, single-family residential lots
  - The reduced minimum cul-de-sac diameter from 150' to 100'
  - The 20' paved alley section being too small
- Commissioner Evans
  - In addition to the above reasons, the removal of the tree mitigation fees and the reduction in Protected Class tree preservation standards
- Commissioner Goldick
  - The removal of the natural environment and potential impacts to the wildlife
- Commissioner Haynes
  - The potential noise concerns from the nearby GVEC substation

### **Staff Recommendation**

Staff is recommending approval of the Heritage Oaks PDD for the following reasons:

- Improved neighborhood design through the coving plan
- Decreased overall density compared to existing Live Oak Hills Subdivision plat
- Increased open space and potential Heritage Class tree preservation with two major trail extensions

- PDD revisions to potentially assuage the Planning and Zoning Commission's concerns regarding the side yard setbacks

For background, the existing Live Oak Hills Subdivision was platted and individual lots were sold in 1963 without the necessary infrastructure improvements, such as water lines, sewer lines, and roads, which left hundreds of lots to remain undeveloped. These undevelopable lots in Live Oak Hills collectively formed what is commonly referred to as a 'paper subdivision', or a subdivision that is recognizable on paper, but not in the real world. This situation poses numerous development challenges; from various land ownership parties to cost-prohibitive infrastructure requirements for individual lot development, 'paper subdivisions' can often remain vacant for decades, as is the situation with most of the Live Oak Hills Subdivision. The proposed Heritage Oaks development along Wiederstein Road, stretching between Schertz Parkway and the city limit boundary between Schertz and Selma, aims to redevelop 45 acres of the existing Live Oak Hills subdivision plat along with an additional 21 acre tract into a 66 acre single-family residential subdivision.

The Heritage Oaks PDD is designed through a coving plan, which encourages smart growth by implementing winding roads and meandering setbacks that result in reduced impervious coverage, limited infrastructure costs, and increased open space preservation when compared to the original Live Oak Hills Subdivision. The coving plan is a marked improvement on the conventional urban grid with dead-end streets that is laid out in the existing plat. The Heritage Oaks PDD is proposing reduced lot sizes, reduced front yard setbacks, and reduced side yard setbacks; however, a maximum of 215 lots will be permitted across the entire 66 acre development, leaving a maximum density of 3.25 lots per acre. When comparing these numbers to the existing Live Oak Hills plat, which would allow 180 lots across 45 acres for a density measurement of 4.00 lots per acre, we can see that the proposed Heritage Oaks PDD is less dense than what is allowed through the current plat. The reductions in lot size and building setback requirements are primarily put in place to accommodate the design criteria of the coving plan, and the extra space created is then allocated for open space preservation and potential tree preservation. The meandering building setbacks, coupled with the realignment of Wiederstein Road will also create a ROW corridor that is more aesthetically pleasing than conventional roadways lined with perimeter fencing.

Although there is a stark difference between UDC Sec. 21.9.9 and the proposed tree preservation and mitigation requirements within the Heritage Oaks PDD, Staff feels that the increased Heritage Class tree preservation requirements are a fair trade off for the removal of any Protected Class tree preservation requirements and all tree mitigation requirements. The reality of the situation is that any development on the subject properties will require the developer to remove a number of trees, including the already existing plat for 45 of the 66 total acres. Under the current regulations, the developer could pay to remove up to 75% of all the Protected Class and Heritage Class trees on site and develop in accordance with the Live Oak Hills Subdivision plat; however, this would be extremely cost prohibitive and would affect the potential quality of the rest of the development. The proposed tree preservation and mitigation requirements mandate the preservation of nearly 1,000 extra inches of Heritage Class trees, and the proposed landscaping requirements incentivize the utilization of existing Protected and Heritage Class trees. Staff thinks tree preservation, instead of tree mitigation, should be a priority for this development. Instead of aggrandizing our tree maintenance fund, we would rather focus on preserving the existing trees in order to collaborate with the property owner and produce a quality neighborhood filled with towering trees that have been growing on-site for decades. The Heritage Oaks neighborhood will also contribute two major additions to the Trails Master Plan, with 10' concrete, shared-use paths extending along West Dietz Creek and in the open space corridor adjacent to Wiederstein Road.

The applicant has also taken feedback from the Planning and Zoning Commission into consideration and made changes in an effort to mitigate some of their concerns; the proposed PDD development

standards increase the side yard setbacks from 5 feet to 7.5 feet for rectangular shaped lots, and will no longer allow equipment in any side yards less than 10 feet. This should allow more space for the City's emergency services to maneuver in between the houses.

Staff believes the proposed Heritage Oaks PDD resembles a marked improvement in neighborhood design quality over the existing Live Oak Hills Subdivision plat, while simultaneously reducing the overall density proposed on the subject properties. Given the less than desirable current lotting pattern, staff is willing in this case to support a creative development proposal. This project will serve as a good limited test case of some unique concepts that would normally not be allowed in a more traditional development. Therefore, Staff recommends approval of the proposed zone change to Planned Development District (PDD) as submitted to City Council.

## **FISCAL IMPACT**

None

## **RECOMMENDATION**

Staff recommends approval of Ordinance 21-S-15.

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### **Attachments**

Ordinance 21-S-15

Ordinance 21-S-15 Exhibit A

Ordinance 21-S-15 Exhibit B

Ordinance 21-S-15 Exhibit C

Aerial Map

Public Hearing Notice Map

Public Hearing Notice Responses

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## **ORDINANCE NO. 21-S-15**

**AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AMENDING THE OFFICIAL ZONING MAP BY REZONING APPROXIMATELY 66 ACRES OF LAND TO PLANNED DEVELOPMENT DISTRICT (PDD), GENERALLY LOCATED SOUTHWEST OF THE INTERSECTION BETWEEN SCHERTZ PARKWAY AND WIEDERSTEIN ROAD, CITY OF SCHERTZ, GUADALUPE COUNTY, TEXAS.**

**WHEREAS**, an application to rezone approximately 66 acres of land generally located southwest of the intersection between Schertz Parkway and Wiederstein road, and 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 April 14, 2021, the Planning and Zoning Commission conducted a public hearing and, after considering the Criteria, made a recommendation to City Council to disapprove the requested rezoning according to the development standards set forth in Exhibit C attached herein (the “Development Standards”); and

**WHEREAS**, on May 4, 2021, 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.

**BE IT ORDAINED 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 Planned Development District (PDD)

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.

Approved on first reading the 4<sup>th</sup> day of May, 2021.

PASSED, APPROVED AND ADOPTED on final reading the 11<sup>th</sup> day of May, 2021.

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Ralph Gutierrez, Mayor

ATTEST:

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Brenda Dennis, City Secretary  
(SEAL OF THE CITY)



# Westwood

County of Guadalupe  
State of Texas

66.162 acres

Heritage Oaks  
May 8, 2020

**METES AND BOUNDS DESCRIPTION of a 66.162 acre tract of land situated in the Toribio Herrera Survey No. 68, Abstract No. 153, City of Schertz, Guadalupe County, Texas and being all of the following lands:**

**45.952 acres being Lots 10-18, Block 31, Lots 9-16, Block 32, Lots 1-17, Block 34, all of Blocks 35-38, Lots 1-17, Block 39, all of Block 40, Lots 2-8, and the remaining portions of 9-12 and 14-16, Block 41, and Lots 2-9, and the remaining portions of 10-16, Block 42 and the proposed vacated right-of-ways platted as King Lane, Lyric Lane, Mora Lane, Nile Lane, Odell Lane and that 1,607 foot section of Live Oak Blvd contained herein and as shown by plat of Live Oak Hills Subdivision recorded in Volume 2, Pages 146-147, Guadalupe County Plat Records,**

**AND, 20.210 acres out of the remaining portion of a 23.811 acre tract described by warranty deed recorded in Volume 2142, Page 582, Guadalupe County Official Public Records;**

**In all, said 66.162 acre tract being more particularly described as follows:**

**BEGINNING** at a ½" iron rod found on the southwest line of Schertz Parkway (a 86' width right of way) recorded in Volume 5, Page 73B, Guadalupe County Plat Records at the common southeast corner of Lot 4, Block 2, as shown by plat of Legacy at Forest Ridge Subdivision recorded in Volume 8, Pages 428, said Plat Records and the north corner of the remaining portion of said Lot 9, Block 41 and the north corner and **POINT OF BEGINNING** of the herein described tract of land;

**THENCE**, along the southwest line of said Schertz Pkwy, South 29° 53' 42" East, 297.30 feet to a ½" iron rod set (WESTWOOD),

**THENCE**, departing the southwest line of Schertz Pkwy and circumnavigating Lot 13, Block 41 of said Live Oak Hills, the following courses:

South 60° 21' 20" West, 105.00 feet to a ½" iron rod set (WESTWOOD),  
South 29° 53' 42" East, 75.00 feet a ½" iron rod set (WESTWOOD), and  
North 60° 21' 20" East, 105.00 feet a ½" iron rod set (WESTWOOD) returning to the southwest line of said Schertz Pkwy;

**THENCE**, South 29° 53' 42" West, at 223.81 feet pass the north corner of the vacating portion of said Live Oak Blvd., at 283.81 feet pass the east corner of the same, in all, a total of 773.77 feet to a ½" iron rod set (WESTWOOD) at the north corner of the remaining portion of Lot 17, Block 42 of said Live Oak Hills, for the southeast corner of the herein and described tract of land;

**THENCE**, departing southwest line of Schertz Pkwy and across said Live Oak Hills and along the north and west lines of said Lot 17, South 60° 32' 29" West, 107.04 feet to a ½" iron rod set

(WESTWOOD), South 29° 48' 49" West, 70.00 feet to a ½" iron rod found (CEC) at the north corner of Lot 1, Block 42;

**THENCE**, continuing across said Live Oak Hills, South 60° 08' 07" West, at 120.02 feet passing a ½" iron rod (CEC), at 180.02 feet pass a ½" iron rod found (CEC), in all, a total distance of 300.27 feet to a ½" iron rod set (WESTWOOD) at the west corner of Lot 18, Block 39 of said Live Oak Hills and South 29° 48' 49" East, 69.67 feet to a ½" iron rod set (WESTWOOD) on the common northwest line of Carolina Crossing Subdivision Unit 8 recorded in Volume 6, Page 219, said Plat Records and the south line of said Live Oak Hills for a corner of the herein described tract of land;

**THENCE**, South 60° 04' 52" West, 120.05 feet passing a ½" iron rod, in all, a total distance of 179.91 feet to a ½" iron rod found and South 60° 00' 52" West, 5.16 feet to a ½" iron rod set (WESTWOOD) at the common northwest corner of said Carolina Crossing Unit 8, the north corner of said 23.811 acre tract and a reentrant corner of the herein described tract of land;

**THENCE**, along the southwest line of said Unit 8, the northeast line of said 23.811 acre tract, South 30° 01' 02" East, 1172.99 feet to a ½" iron rod found (CEC) on the northwest line of Carolina Crossing Subdivision Unit 7 recorded in Volume 6, Page 219, said Plat Records at the common south corner of said Carolina Crossing Unit 8 and the southeast corner of said 23.811 acre tract and the herein described tract of land;

**THENCE**, along the common northwest line of said Carolina Crossing Unit 7, the southeast line of said 23.811 acre tract, the following courses:

South 60° 01' 14" West, 232.61 feet to a ½" iron rod set (WESTWOOD),  
South 59° 56' 11" West, 464.59 feet to ½" iron rod set (WESTWOOD), and  
South 58° 45' 36" West, 53.53 feet to ½" iron rod found (CEC) for the common west corner of said Carolina Crossing Unit 7 and the northeast corner of Unit 1 P.U.D., Kensington Ranch Estates Subdivision recorded in Volume 8, Page 2 Guadalupe County Official Public Records, for a southeast corner of the herein described tract,

**THENCE**, continuing with the southeast line of said 23.811 acre tract and along the common northwest line said Kensington Ranch Estates, South 59° 50' 40" West, 175.30 feet to ½" iron rod set (WESTWOOD) at the east corner of 1.192 acre tract conveyed unto the City of Schertz by warranty deed recorded in Volume 2742, Page 269, said Official Public Records, for the south corner of the herein described tract of land;

**THENCE**, along the northeast line said 1.192 acre tract, and across the 23.811 acre tract, North 73° 37' 50" West, 207.43 feet to a ½" iron rod found at the beginning of a non-tangent curve to the right;

**THENCE**, along the arc of said curve with an arc length of 159.85 feet, a radius 275.52 feet, a delta of 33° 14' 33", and a chord bearing and distance of South 57° 00' 34" East, 157.62 feet to a ½" iron rod set at common north corner of said 1.192 acre tract and an east corner of those City of Schertz tracts recorded in Volume 2708, Page 726, said Official Public Records, for a west corner of the herein described tract of land;

**THENCE**, North 22° 29' 23" West, 385.88 feet to ½" iron rod set (WESTWOOD) at the south corner of a 9.167 acre tract conveyed unto Guadalupe Valley Electric Cooperative recorded in

Volume 1145, Page 543, said Official Public Records, for a west corner of the herein described tract of land;

**THENCE**, along the common lines of said 9.167 acre tract and said 23.811 acre tract, North 59° 51' 25" East, 795.12 feet to a ½" iron rod set (WESTWOOD), and North 30° 04' 31" West, 500.00 feet to a ½" iron rod found on the southeast line of said Live Oak Hills coincident with the common northeast corner of said 9.167 acre tract for a reentrant corner of the herein described tract of land;

**THENCE**, along the northwest line of said 9.167 acre tract, South 60° 00' 52" West, 299.69 feet to a ½" iron rod found (CEC), at the east corner of Lot 18, Block 34 of said Live Oak Hills;

**THENCE**, circumnavigating said Lot 18, of same Block, the following courses:

North 29° 49' 32" West, 71.80 feet to a ½" iron rod set (WESTWOOD),  
South 59° 57' 05" West, 120.00 feet to a ½" iron rod set (WESTWOOD), and  
South 30° 14' 08" East, 72.11 feet to a ½" iron rod set (WESTWOOD) returning to the northwest line of said 9.167 acre tract for a corner of the herein described tract of land;

**THENCE**, South 59° 45' 52" West, 300.51 feet to a ½" iron rod set (WESTWOOD) on the east line of said City of Schertz tract for a west corner of the herein described tract of land;

**THENCE**, across said Block 31, North 29° 50' 00" West, 633.07 feet passing a ½" iron rod found, in all, for a total distance of 1284.52 feet to a ½" iron rod set (WESTWOOD) on the southeast line of Lot 1, Block 1, Chelsea Mixed-Use Subdivision recorded in Volume 7, Pages 530-531, said Plat Records for the west corner of the herein described tract of land;

**THENCE**, North 59° 58' 25" East, at 961.45 feet pass a ½" iron rod at the southwest corner of Lot 6, Block 2, Legacy at Forest Ridge recorded in Volume 8, Page 428, said Plat Records, in all, a total of 1,606.37 feet to the **POINT OF BEGINNING**.

Containing in all, 2,882,049 square feet, or 66.162 acres of land, more or less.

**The above description and area specifically excludes Lot 1, Block 41, said Live Oak Hills Subdivision, said Lot 1 being more particularly described as follows:**

**COMMENCING** at a ½" iron rod found on the southwest line of said Schertz Parkway at the common southeast corner of said Lot 4, Block 2, Legacy at Forest Ridge Subdivision, and the north corner of said remaining portion of said Lot 9, Block 41;

**THENCE**, along the southwest line of said Schertz Pkwy, South 29° 53' 42" East, at 297.30 feet passing the north corner of said Lot 13, Block 41, at 372.30 feet the east corner of the same, and continuing in all a total distance of 596.11 feet to the intersection of the southwest line of Schertz Pkwy and the northwest line of said Live Oak Blvd.;

**THENCE**, along the northwest line of said Live Oak Blvd., South 60° 08' 45" West, 105.00 feet to the east corner and **POINT OF BEGINNING** of the herein described tract of land;

**THENCE**, continuing along the northwest line of said Live Oak Blvd., South 60° 08' 45" West, 120.00 feet to the intersection of the northwest line of said Live Oak Blvd. and the northeast

line of Odell Lane, a 60-foot right-of-way, proposed to be vacated, as shown by plat of said Live Oak Hills Subdivision;

**THENCE**, along the northeast line of said Odell Lane, North 29° 53' 42" West, 75.00 feet to the west corner of the herein described tract of land;

**THENCE**, departing the right-of-way of said Odell Lane, North 60° 08' 45" East, 120.00 feet to the north corner of the herein described tract of land;

**THENCE**, South 29° 53' 42" East, 75.00 feet to the **POINT OF BEGINNING**.

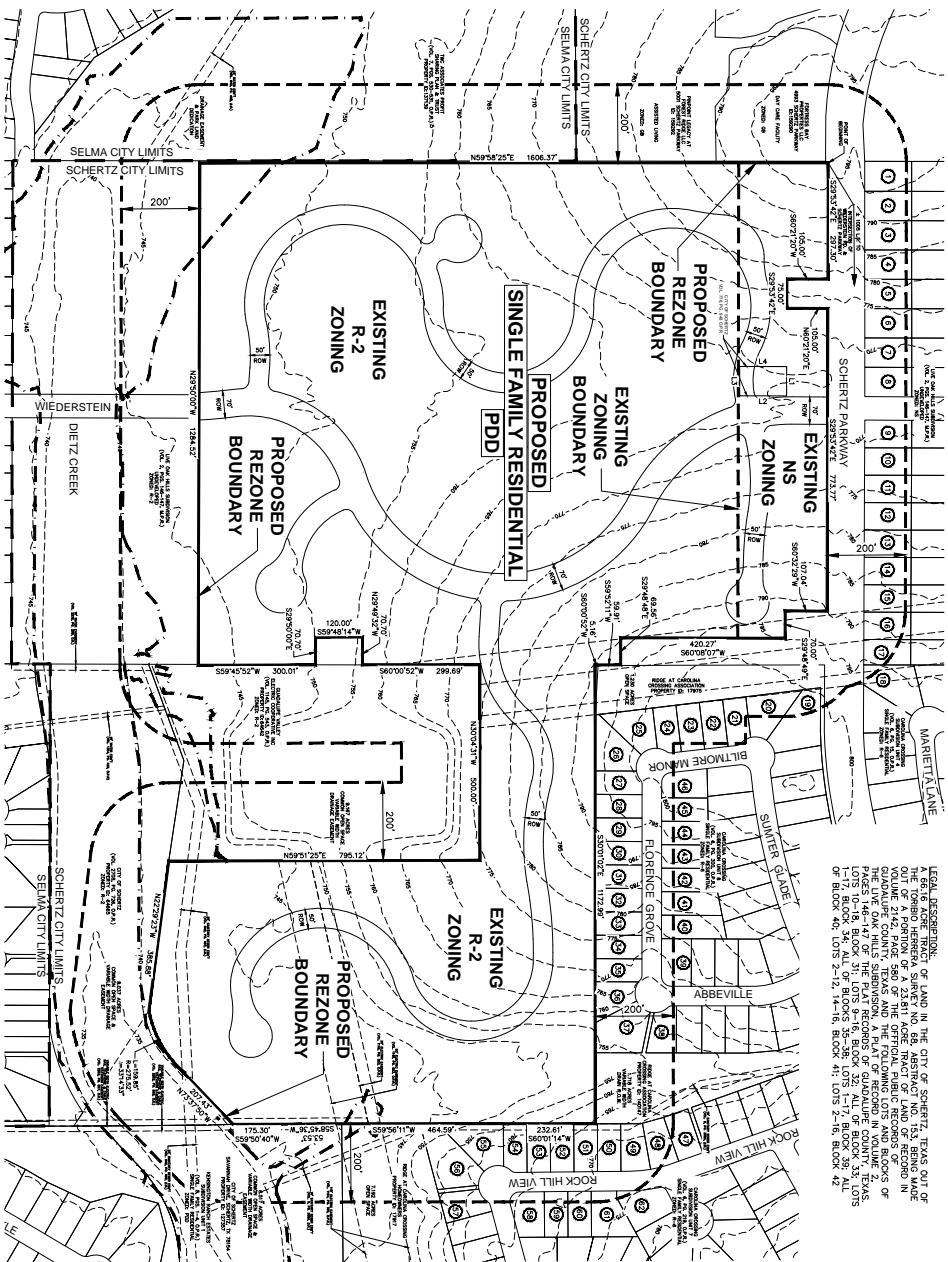
Containing in all, 9,005 square feet, or 0.207 acres of land, more or less.

Bearings are based on Texas State Plane coordinates for the South Central Zone, 4204 (NAD83, 2011 adjustment).

This metes and bounds description of a 66.162 acre tract is for zoning and planning purposes only. This document of project number, 24313.00 and date, May 8, 2020, was prepared by Westwood Professional Services and shall not be used for conveyance nor construction purposes.



A handwritten signature in blue ink, appearing to read "Jason R. Gabriel", written over a light blue horizontal line.

[illegible]

HERITAGE OAKS ZONING TABLE		
CONDITION	ZONING	AREA (AC.)
EXISTING	NS	5.81
EXISTING	R-2	60.35
PROPOSED	PDD	66.16

**66.16 ACRES ~ TOTAL TRACT AREA**

- ENGINEER / APPLICANT:

**SURVEYOR**  
WESTGRO PROFESSIONAL SERVICES  
17710 DRY CREEK WAY, SUITE 110  
SAN ANTONIO, TEXAS 78259  
TEL: (210) 265-8300

**OWNER / DEVELOPER**  
ARCSOFT GROUP, LTD.  
16818 BURNHAM STONE, SUITE 200  
SAN ANTONIO, TEXAS 78258  
TEL: (210) 626-9000

DATE

DISCUSS

DEBATE

THIRSDAY

JANUARY 2017

1PM

HERITAGE OAKS NEIGHBORHOOD  
PLANNED DEVELOPMENT DISTRICT  
ZONING EXHIBIT  
SCHERTZ, TEXAS





# PLANNED DEVELOPMENT DISTRICT

HERITAGE OAKS NEIGHBORHOOD  
SCHERTZ, TEXAS

APRIL 27, 2021

PREPARED BY:

**Westwood**

**Westwood**

# PLANNED DEVELOPMENT DISTRICT

## HERITAGE OAKS NEIGHBORHOOD

**Prepared For:**

Presidio Group, LLC  
18618 Tuscany Stone  
San Antonio, TX 78258  
(210) 826-9000

**Prepared By:**

Westwood Professional Services  
1718 Dry Creek Way, Suite 110  
San Antonio, TX 78259  
(210) 265-8300

Project Number: R0024313.00

Date: April 27, 2021



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FIGURE 5.0: PROPOSED WILDENSTEIN ROAD, A RESIDENTIAL COLLECTOR

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EXHIBIT 2: CONCEPTUAL COVING PLAN

EXHIBIT 3: DRIVEWAY DETAIL

EXHIBIT 4: WIEDERSTEIN AND WEST DIETZ CREEK TRAIL PLAN

EXHIBIT 5: ZONING EXHIBIT

# HERITAGE OAKS NEIGHBORHOOD

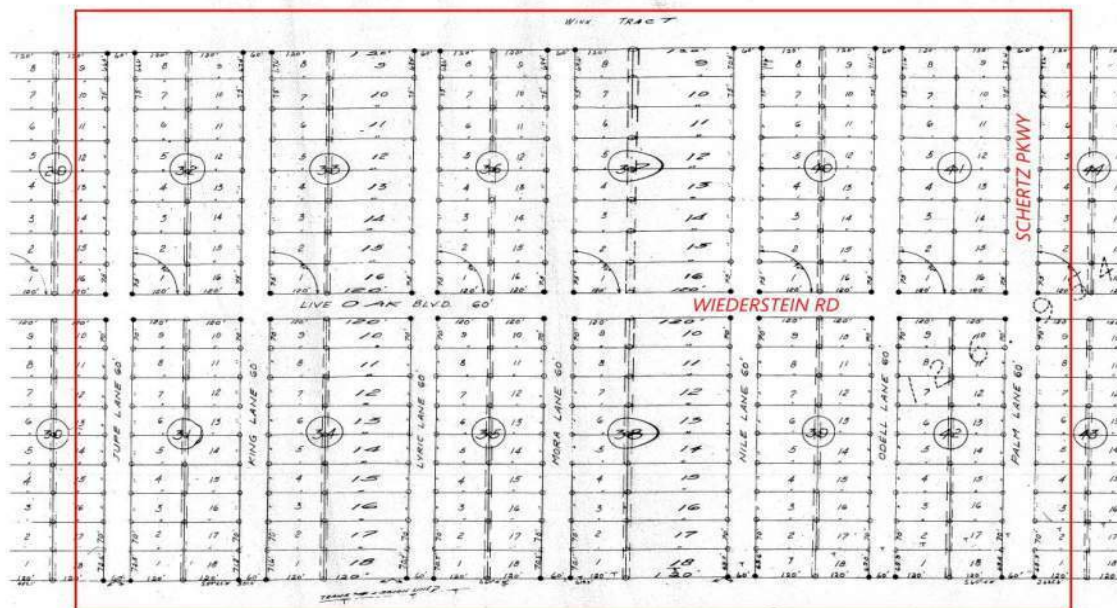
## A PLANNED DEVELOPMENT DISTRICT

### SCHERTZ, TEXAS

## I. PROPERTY

The proposed 66.16 acre Heritage Oaks Neighborhood (the “Heritage Oaks Neighborhood”) is located 0.5 mile to the southeast of IH 35 off Schertz Parkway within the corporate limits of the City of Schertz. Approximately 45.95 acres lies within the Live Oak Hills Subdivision, a Plat of Record in Volume 2, Pages 146-147 of the Map and Plat Records of Guadalupe County, Texas recorded on May 31, 1963. Refer to Exhibit “1” for the Metes & Bounds of the proposed tract.

**Figure 1: Excerpt from Live Oak Hills Subdivision Plat**



Source: Live Oak Hills Subdivision; Vol. 2, Pg. 146-147, M.P.R.

Wiederstein Road, which traverses Heritage Oaks Neighborhood east to west from Schertz Parkway, is a Residential Collector per the City of Schertz Master Thoroughfare Plan Update (2017). The posted speed limit is 20 mph and the pavement is presently in poor condition, 20-21 feet in width.

An approximate 5.5 acres adjacent to Schertz Parkway is zoned Neighborhood Services (NS) with the remainder of the tract being zoned Single-Family Residential District-2 (R-2). To the north lies an undeveloped tract within the corporate limits of the City of Selma and Legacy at Forest Ridge which is zoned General Business (GB). Dietz Creek runs along the western property line. And open space within the Kensington Ranch Estates, a PDD, lies at the southern corner of the

tract with Carolina Crossing, zoned Single-Family Residential District-6 (R-6), on the south/southeast property line.

An approximate 200 acres upstream of Schertz Parkway discharges onto the tract directly north of the Schertz Parkway/Wiederstein Road intersection. No defined channel exists with runoff sheet flowing across the property to Dietz Creek. Existing contours indicate an approximate 60 foot change in elevation from the most northern corner of the tract to the most southern corner of the tract with grades of 5-6% adjacent to Schertz Parkway and the Carolina Crossing Subdivision to the east and grades of approximately 1% adjacent to Dietz Creek to the west. Per the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM), No. 48187Co210F, Effective Date November 2, 2007, Dietz Creek is located within Zone "AE" (Shaded) which is identified by FEMA as a special flood hazard area subject to inundation by the 1% annual chance flood (100-year flood) with Base Flood Elevations (BFEs) determined.

## II. COVING PLAN

In lieu of the conventional urban grid, coving is proposed with Heritage Oaks Neighborhood. A method of urban planning, coving was pioneered by Minneapolis-based urban designer Rick Harrison. Characterized by winding roads and meandering setbacks, coving results in less impervious area, more open space, tree preservation and a reduction in costs attributed to the non-uniform lots, placement of homes and reduction in pavement.

**Figure 2: Coving Proposed w/ Heritage Oaks Neighborhood**



Source: Rick Harrison Design Studio & Neighborhood Innovations, LLC

Rather than clearing the site and proceeding with 70'x120' lot minimums required by the Single-Family Residential District-2 (R-2) zoning, the intention with Heritage Oaks Neighborhood is to maximize the density while preserving trees. To this end, both realignment of and fronting lots off Wiederstein Road is proposed. The realignment and curvature of Wiederstein Road will serve to reduce speeds, and coupled with the meandering building setbacks, will create a corridor more pleasing than the typical straightaway with parallel fencing at the right-of-way limits. With regards to safety, "T" turnarounds for the driveways off of Wiederstein Road are proposed with the realignment. Rather than reversing onto the road, the turn arounds will allow cars to enter Wiederstein Road in drive. Refer to **Exhibit "2"** for the proposed Heritage Oaks Neighborhood Conceptual Coving Plan.

### III. AFFECTED UDC ARTICLES/SECTIONS

A Planned Development District (PDD) allows for flexibility in planning, design and development standards while complying with the intent of the Unified Development Code (UDC). The article and section amendments proposed with the PDD for Heritage Oaks Neighborhood are as follows:

#### A. ARTICLE 5. – ZONING DISTRICTS

##### Sec. 21.5.7. – Dimensional and Development Standards

The tract is presently zoned Single-Family Residential District-2 (R-2) except for an approximate 5.5 acres adjacent to Schertz Parkway that is zoned Neighborhood Services (NS). Proposed with the PDD for Heritage Oaks Neighborhood is a base zoning Single-Family Residential District-1 (R-1). Lots are to be an absolute minimum of 6,000 square feet, variable width, 120 foot minimum depth with minimum front and side yard setbacks of 20 foot and 5 foot, respectively. No permanent structures or heating, ventilation, and air conditioning equipment will be allowed in side yards less than 10 feet. The average lot size in the Heritage Oaks Neighborhood shall be an absolute minimum of 8,400 square feet. With the current layout, the average lot size for the tract is 9,020 square feet, while the median lot size is 8,432 square feet. The maximum impervious cover is to be 50 percent. Dimensional requirements for the existing zoning districts (residential/non-residential) are provided with **Tables 1 & 2**, respectively.

**Table 1 – Existing Dimensional Requirements, Residential Zoning Districts**

	Minimum Lot Size/Dimensions			Minimum Yard Setback				Misc	
Zoning District	Area Sq Ft	Width Ft	Depth Ft	Front Ft	Side Ft	Rear Ft	Minimum Off-Street Parking Spaces	Max Height Ft	Max Imperv Cover
Single-Family Residential District-2 (R-2)	8,400	70	120	25	10	20	2	35	50%

**Table 2 – Existing Dimensional Requirements, Non-Residential Zoning Districts**

	Minimum Lot Size/Dimensions			Minimum Yard Setback (Ft)					Misc	
Zoning District	Area Sq Ft	Width Ft	Depth Ft	Front Ft	Rear Adj. Non-Res Zone	Rear Adj. Res Zone	Side Adj. Non-Res Zone	Side Adj. Res Zone	Max Height Ft	Max Imperv Cover
Neighborhood Services (NS)	10,000	100	100	25	0	25	0	25	35	80%

Minimum lot size and dimensions, maximum density, as well as maximum impervious cover proposed with the Heritage Oaks Neighborhood, a Planned Development District (PDD) with a base zoning Single-Family Residential District-1 (R-1) are provided with **Table 3**.

**Table 3 – Heritage Oaks Neighborhood, a Planned Development District (PDD)**

	Minimum Lot Size/Dimensions			Minimum Yard Setback				Maximum Density		Misc	
Zoning District	Area Sq Ft	Width Ft	Depth Ft	Front Ft	Side Ft	Rear Ft	Minimum Off-Street Parking Spaces	Lots	Lots Per Acre	Max Height Ft	Max Imperv Cover
Planned Development District (PDD)	6,000	50	120	20	5*	20	2	215	3.25	35	50%

\*Rectangular shaped lots shall have minimum 7.5-foot side yard setback.

\* Corner lot shall have minimum 10-foot side yard setback from street right-of-way.



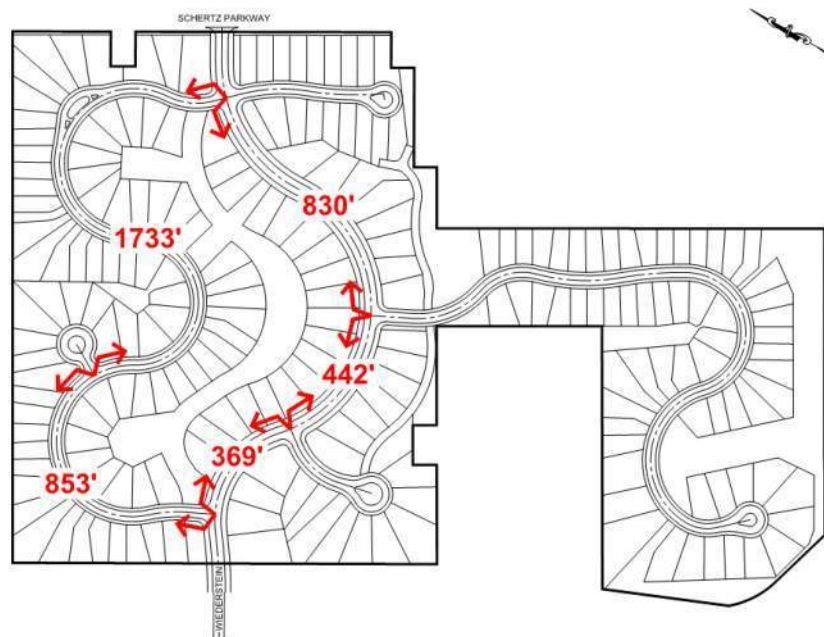
## B. ARTICLE 9 – SITE DESIGN STANDARDS

### Sec. 21.9.2 – Blocks

Coving allows for the preservation of trees through the reduction in pavement, larger lots and more green space. The length, width and shape of the blocks are dictated by the winding streets, non-uniform lots and variable setbacks.

D. A maximum block length of one thousand seven hundred and thirty-three feet (1,733') is proposed with the Heritage Oaks Neighborhood.

**Figure 3: Heritage Oaks Neighborhood Block Lengths**





**Sec. 21.9.3. – Lots**

Large non-uniform lots with variable frontage and setbacks are proposed with Heritage Oaks Neighborhood. Lot sizes and dimensions, as well as setbacks, shall be shown on all plats and shall conform to the minimum requirements recognized in the Dimension and Development Standards of this PDD. In addition, the following modified requirements to UDC Sec. 21.9.3 will apply:

H. Residential lots may front Wiederstein Road, a residential collector. Driveways for all residential lots fronting Wiederstein Road will have a “T” turnaround eliminating the need for vehicles to back onto the road. Dimensional requirements for proposed “T” turnarounds are provided with **Exhibit “3”**.

I. Lot lines are not required to be perpendicular to the local streets within the Heritage Oaks Neighborhood. The larger non-uniform lots, characteristic of a coving subdivision, provide more open space and tree preservation.

**Sec. 21.9.7. – Landscaping**

E.3.a Every single family dwelling shall have a minimum of three shade trees with at least one in the front yard and one in the back yard. Each single family dwelling shall have a minimum of fifteen inches (15”) DBH of shade trees on the entire lot, including existing trees.

**Sec. 21.9.9. – Tree Preservation and Mitigation**

Trees with a 24" DBH (diameter at breast height-4 ½ feet above existing ground level) are designated "**Heritage Trees**".

Trees with an 8" DBH (diameter at breast height-4 ½ feet above existing ground level) are designated "**Protected Trees**".

**C. Tree Preservation****1. Single Family Residential Development:**

- a. Heritage Trees. A minimum of fifty percent (50%) of the total Heritage Trees in the Heritage Oaks Neighborhood must be preserved.
  - i. Exemptions. Heritage Trees located within proposed right-of-way, utility easements, and drainage right-of-way/easements shall be exempt from the 50% tree save requirement.
- b. Protected Trees. No Protected Trees in the Heritage Oaks Neighborhood must be preserved, however any preserved shall be credited toward the minimum builder requirement of 15" DBH.

D. Tree Mitigation. There are no tree mitigation requirements for Protected and Heritage Class Trees in the Heritage Oaks Neighborhood.

**Sec. 21.9.10. – Park and Open Space Dedication Requirements**

Park and Open Space Dedications requirements and fees will not apply to the Heritage Oaks Neighborhood. Open space within the Heritage Oaks Neighborhood is to be owned and maintained by the Homeowners Association (HOA). A trail will be provided along the drainage way from Schertz Parkway to West Dietz Creek as shown on **Exhibit "4"** (Wiederstein and West Dietz Creek Trail Plan). The trail shall be construction by the Heritage Oaks Neighborhood developer and dedicated to the City of Schertz for public use. Additionally, the developer shall transplant trees from the Neighborhood to the West Dietz Creek linear park and trail area.

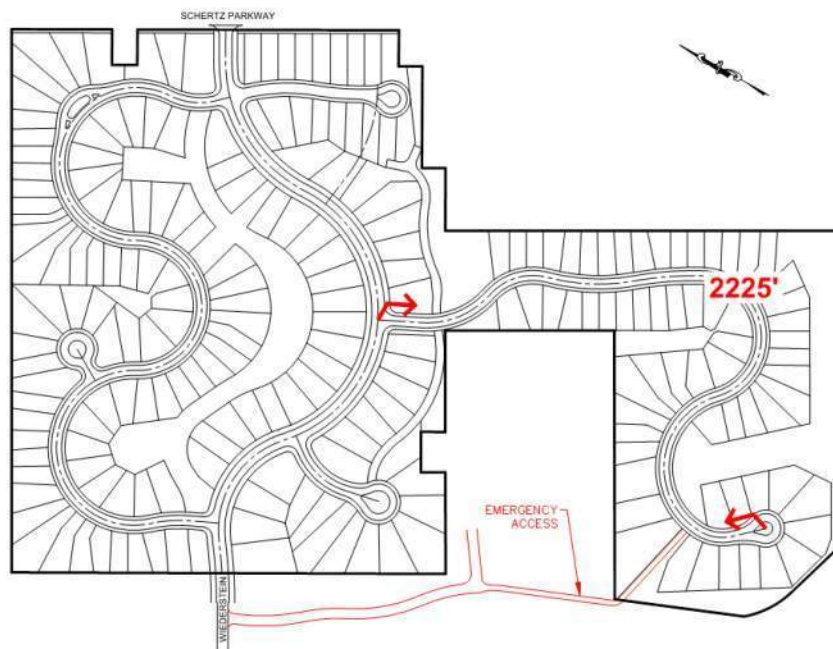
## C. ARTICLE 14 – TRANSPORTATION

### Sec. 21.14.1. – Streets

#### E. Dead-End Streets and Cul-De-Sacs

2. Cul-de-sac streets shall not exceed 500 feet in length and shall have a turnaround of not less than 100 feet in diameter of ROW in single-family residential areas. This provision may be modified upon approval of the Fire Chief and City Engineer. The length of the cul-de-sac south of Wiederstein Road in excess of 2,225 feet shall be allowed and is attributed to physical barriers, property ownership and adjacent existing subdivisions. A variable width emergency access drive is being provided back to Wiederstein Road given the length of the cul-de-sac.

**Figure 4: Heritage Oaks Neighborhood Cul-De-Sac Lengths**



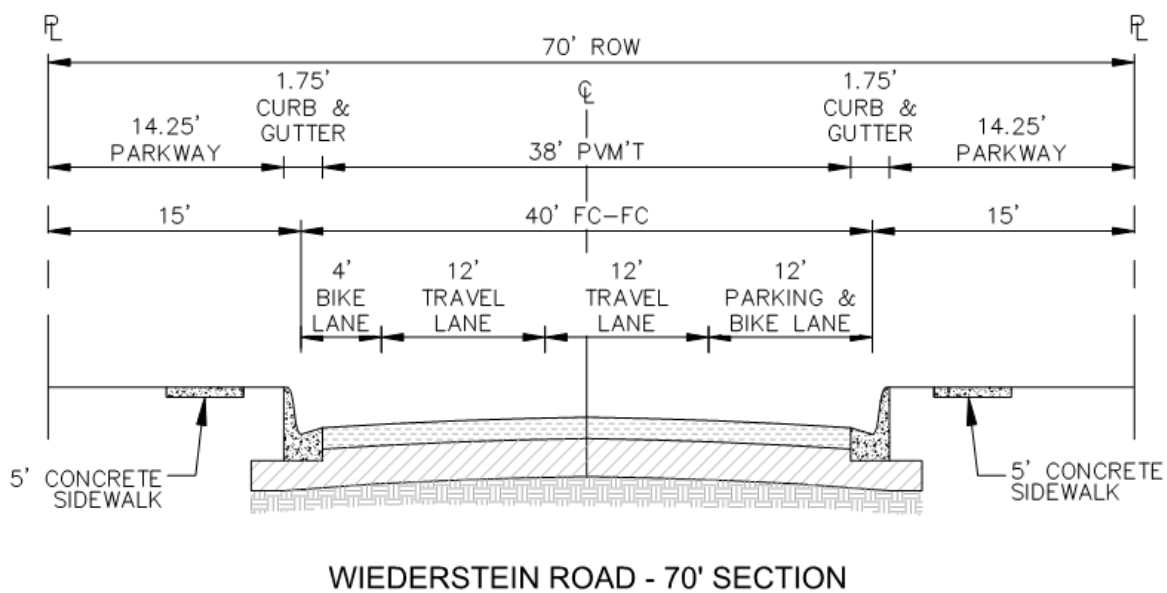
#### F. Alignment

Local streets within the Heritage Oaks Neighborhood will adhere to the minimum curvature allowed by the city, however the collector street running through the tract will provide a minimum radius of 300'. Each street section will utilize reverse curves rather than the required tangent length of 150'.

## P. Street Improvements

1. The Wiederstein Road street section running through the Heritage Oaks Neighborhood has been designated as a 70' ROW by the City of Schertz Master Thoroughfare Plan. This collector street section will consist of a 38' pavement section, curb and gutter, with 5' sidewalks on each side of the street. The 40' street section from face of curb to face of curb will consist of (2) 12' travel lanes, (1) 12' parking and bike lane, and (1) 4' bike lane.

**Figure 5: Proposed Wiederstein Road, a Residential Collector**



## Sec. 21.14.4 - Alleys

### D. Dead End Alleys.

Although alleys are not designed for emergency access, on rare occasions they may be used. Alleys with only one access point will be designed to provide a “60-foot Y” turnaround at the dead end as defined by the International Fire Code.

### H. PDD Zoning Districts.

Alleys will be provide rear ingress/egress on the south side of Wiederstein Road for certain lots within Blocks 3 & 4 as seen in **Exhibit “2”** (Conceptual Coving Plan). The alleys will consist of a twenty foot (20') asphalt paved section with header curbs bordering both sides.

**Sec. 21.14.5 - Driveways****D. “T-Turnaround” Driveways**

Lots that front Wiederstein Road, and are not accessed by alleys, are required to have T-Turnaround Driveways, as shown on Figure 5. The turnarounds will allow cars to enter Wiederstein Road in drive rather than reversing onto the road. Dimensional requirements for proposed “T” turnarounds are provided with **Exhibit “3”**.

**Sec. 21.14.6 – Sidewalks and Hike and Bike Trails****H. Hike and Bike Trails.**

A trail will be provided along the drainage way from Schertz Parkway to West Dietz Creek, and continue along West Dietz Creek as shown in **Exhibit “4”** (Wiederstein and West Dietz Creek Trail Plan). The hike and bike trail shall be constructed by the Heritage Oaks Neighborhood developer and dedicated to the City of Schertz for public use. The trail shall be 10 foot (10’) in width and paved with concrete.

**IV. PLANNED DEVELOPMENT DISTRICT (PDD) AMENDMENTS**

Any significant future changes from the established Dimensional Requirements for the approved PDD, which alter the concept of the PDD or increase the density, will cause the plan to be resubmitted for approval by the Planning & Zoning Commission and the City Council, including a new public hearing with applicable fees. Minor changes which do not change the concept or intent of the development shall be approved or denied administratively.

# EXHIBITS



**EXHIBIT 1**  
**METES AND BOUNDS**

**METES AND BOUNDS DESCRIPTION of a 65.9707 acre tract of land situated in the Toribio Herrera Survey No. 68, Abstract No. 153, City of Schertz, Guadalupe County, Texas and being all of the following lands:**

**45.7603 acres being Lots 10-18, Block 31, Lots 9-16, Block 32, Lots 1-17, Block 34, all of Blocks 35-38, Lots 2-17, Block 39, all of Block 40, Lots 2-8, and the remaining portions of 9-12 and 14-16, Block 41, and Lots 2-9, and the remaining portions of 10-16, Block 42 and the proposed vacated right-of-ways platted as King Lane, Lyric Lane, Mora Lane, Nile Lane, Odell Lane and that 1,607 foot section of Live Oak Blvd contained herein and as shown by plat of Live Oak Hills Subdivision recorded in Volume 2, Pages 146-147, Guadalupe County Plat Records,**

**AND, 20.210 acres out of the remaining portion of a 23.811 acre tract described by warranty deed recorded in Volume 2142, Page 582, Guadalupe County Official Public Records;**

**In all, said 65.9707 acre tract being more particularly described as follows:**

**BEGINNING** at a ½" iron rod found on the southwest line of Schertz Parkway (a 86' width right of way) recorded in Volume 5, Page 73B, Guadalupe County Plat Records at the common southeast corner of Lot 4, Block 2, as shown by plat of Legacy at Forest Ridge Subdivision recorded in Volume 8, Pages 428, said Plat Records and the north corner of the remaining portion of said Lot 9, Block 41 and the north corner and **POINT OF BEGINNING** of the herein described tract of land;

**THENCE**, along the southwest line of said Schertz Pkwy, South 29° 53' 42" East, 297.30 feet to a ½" iron rod set (WESTWOOD),

**THENCE**, departing the southwest line of Schertz Pkwy and circumnavigating Lot 13, Block 41 of said Live Oak Hills, the following courses:

South 60° 21' 20" West, 105.00 feet to a ½" iron rod set (WESTWOOD),  
South 29° 53' 42" East, 75.00 feet a ½" iron rod set (WESTWOOD), and  
North 60° 21' 20" East, 105.00 feet a ½" iron rod set (WESTWOOD) returning to the southwest line of said Schertz Pkwy;

**THENCE**, South 29° 53' 42" West, at 223.81 feet pass the north corner of the vacating portion of said Live Oak Blvd., at 283.81 feet pass the east corner of the same, in all, a total of 773.77 feet to a ½" iron rod set (WESTWOOD) at the north corner of the remaining portion of Lot 17, Block 42 of said Live Oak Hills, for the southeast corner of the herein and described tract of land;

**THENCE**, departing southwest line of Schertz Pkwy and across said Live Oak Hills and along the north and west lines of said Lot 17, South 60° 32' 29" West, 107.04 feet to a ½" iron rod set

(WESTWOOD), South 29° 48' 49" West, 70.00 feet to a ½" iron rod found (CEC) at the north corner of Lot 1, Block 42;

**THENCE**, continuing across said Live Oak Hills, South 60° 08' 07" West, at 120.02 feet passing a ½" iron rod (CEC), at 180.02 feet pass a ½" iron rod found (CEC), in all, a total distance of 420.27 feet to a ½" iron rod set (WESTWOOD) at the west corner of Lot 1, Block 39 of said Live Oak Hills and South 29° 48' 49" East, 69.78 feet to a ½" iron rod found (DAM) on the common northwest line of Carolina Crossing Subdivision Unit 8 recorded in Volume 6, Page 219, said Plat Records and the south line of said Live Oak Hills for a corner of the herein described tract of land;

**THENCE**, South 60° 04' 52" West, 59.91 feet to a ½" iron rod found and South 60° 00' 52" West, 5.16 feet to a ½" iron rod set (WESTWOOD) at the common northwest corner of said Carolina Crossing Unit 8, the north corner of said 23.811 acre tract and a reentrant corner of the herein described tract of land;

**THENCE**, along the southwest line of said Unit 8, the northeast line of said 23.811 acre tract, South 30° 01' 02" East, 1,172.99 feet to a ½" iron rod found (CEC) on the northwest line of Carolina Crossing Subdivision Unit 7 recorded in Volume 6, Page 219, said Plat Records at the common south corner of said Carolina Crossing Unit 8 and the southeast corner of said 23.811 acre tract and the herein described tract of land;

**THENCE**, along the common northwest line of said Carolina Crossing Unit 7, the southeast line of said 23.811 acre tract, the following courses:

South 60° 01' 14" West, 232.61 feet to a ½" iron rod set (WESTWOOD),  
South 59° 56' 11" West, 464.59 feet to ½" iron rod set (WESTWOOD), and  
South 58° 45' 36" West, 53.53 feet to ½" iron rod found (CEC) for the common west corner of said Carolina Crossing Unit 7 and the northeast corner of Unit 1 P.U.D., Kensington Ranch Estates Subdivision recorded in Volume 8, Page 2 Guadalupe County Official Public Records, for a southeast corner of the herein described tract,

**THENCE**, continuing with the southeast line of said 23.811 acre tract and along the common northwest line said Kensington Ranch Estates, South 59° 50' 40" West, 175.30 feet to ½" iron rod set (WESTWOOD) at the east corner of 1.192 acre tract conveyed unto the City of Schertz by warranty deed recorded in Volume 2742, Page 269, said Official Public Records, for the south corner of the herein described tract of land;

**THENCE**, along the northeast line said 1.192 acre tract, and across the 23.811 acre tract, North 73° 37' 50" West, 207.43 feet to a ½" iron rod found at the beginning of a non-tangent curve to the right;

**THENCE**, along the arc of said curve with an arc length of 159.85 feet, a radius 275.52 feet, a delta of 33° 14' 33", and a chord bearing and distance of South 57° 00' 34" East, 157.62 feet to a ½" iron rod set at common north corner of said 1.192 acre tract and an east corner of those City of Schertz tracts recorded in Volume 2708, Page 726, said Official Public Records, for a west corner of the herein described tract of land;

**THENCE**, North 22° 29' 23" West, 385.88 feet to ½" iron rod set (WESTWOOD) at the south corner of a 9.167 acre tract conveyed unto Guadalupe Valley Electric Cooperative recorded in

Volume 1145, Page 543, said Official Public Records, for a west corner of the herein described tract of land;

**THENCE**, along the common lines of said 9.167 acre tract and said 23.811 acre tract, North 59° 51' 25" East, 795.12 feet to a ½" iron rod set (WESTWOOD), and North 30° 04' 31" West, 500.00 feet to a ½" iron rod found on the southeast line of said Live Oak Hills coincident with the common northeast corner of said 9.167 acre tract for a reentrant corner of the herein described tract of land;

**THENCE**, along the northwest line of said 9.167 acre tract, South 60° 00' 52" West, 299.69 feet to a ½" iron rod found (CEC), at the east corner of Lot 18, Block 34 of said Live Oak Hills;

**THENCE**, circumnavigating said Lot 18, of same Block, the following courses:

North 29° 49' 32" West, 71.80 feet to a ½" iron rod set (WESTWOOD),  
South 59° 57' 05" West, 120.00 feet to a ½" iron rod set (WESTWOOD), and  
South 30° 14' 08" East, 72.11 feet to a ½" iron rod set (WESTWOOD) returning to the northwest line of said 9.167 acre tract for a corner of the herein described tract of land;

**THENCE**, South 59° 45' 52" West, 300.51 feet to a ½" iron rod set (WESTWOOD) on the east line of said City of Schertz tract for a west corner of the herein described tract of land;

**THENCE**, across said Block 31, North 29° 50' 00" West, 633.07 feet passing a ½" iron rod found, in all, for a total distance of 1284.52 feet to a ½" iron rod set (WESTWOOD) on the southeast line of Lot 1, Block 1, Chelsea Mixed-Use Subdivision recorded in Volume 7, Pages 530-531, said Plat Records for the west corner of the herein described tract of land;

**THENCE**, North 59° 58' 25" East, at 961.45 feet pass a ½" iron rod at the southwest corner of Lot 6, Block 2, Legacy at Forest Ridge recorded in Volume 8, Page 428, said Plat Records, in all, a total of 1,606.37 feet to the **POINT OF BEGINNING**.

Containing in all, 2,873,682 square feet, or 65.9707 acres of land, more or less.

**The above description and area specifically excludes Lot 1, Block 41, said Live Oak Hills Subdivision, said Lot 1 being more particularly described as follows:**

**COMMENCING** at a ½" iron rod found on the southwest line of said Schertz Parkway at the common southeast corner of said Lot 4, Block 2, Legacy at Forest Ridge Subdivision, and the north corner of said remaining portion of said Lot 9, Block 41;

**THENCE**, along the southwest line of said Schertz Pkwy, South 29° 53' 42" East, at 297.30 feet passing the north corner of said Lot 13, Block 41, at 372.30 feet the east corner of the same, and continuing in all a total distance of 596.11 feet to the intersection of the southwest line of Schertz Pkwy and the northwest line of said Live Oak Blvd.;

**THENCE**, along the northwest line of said Live Oak Blvd., South 60° 08' 45" West, 105.00 feet to the east corner and **POINT OF BEGINNING** of the herein described tract of land;

**THENCE**, continuing along the northwest line of said Live Oak Blvd., South 60° 08' 45" West, 120.00 feet to the intersection of the northwest line of said Live Oak Blvd. and the northeast

line of Odell Lane, a 60-foot right-of-way, proposed to be vacated, as shown by plat of said Live Oak Hills Subdivision;

**THENCE**, along the northeast line of said Odell Lane, North 29° 53' 42" West, 75.00 feet to the west corner of the herein described tract of land;

**THENCE**, departing the right-of-way of said Odell Lane, North 60° 08' 45" East, 120.00 feet to the north corner of the herein described tract of land;

**THENCE**, South 29° 53' 42" East, 75.00 feet to the **POINT OF BEGINNING**.

Containing in all, 9,005 square feet, or 0.2067 acres of land, more or less.

Bearings are based on Texas State Plane coordinates for the South Central Zone, 4204 (NAD83, 2011 adjustment).

This metes and bounds description of a 65.9707 acre tract is for zoning and planning purposes only. This document of project number, 24313.00 and date, May 8, 2020, was prepared by Westwood Professional Services and shall not be used for conveyance nor construction purposes. – REVISED APRIL 29, 2021 due to updated title information excluding Lot 1, Block 39 from Subject Parcel.



A handwritten signature in blue ink, appearing to read "Jason R. Gabriel".

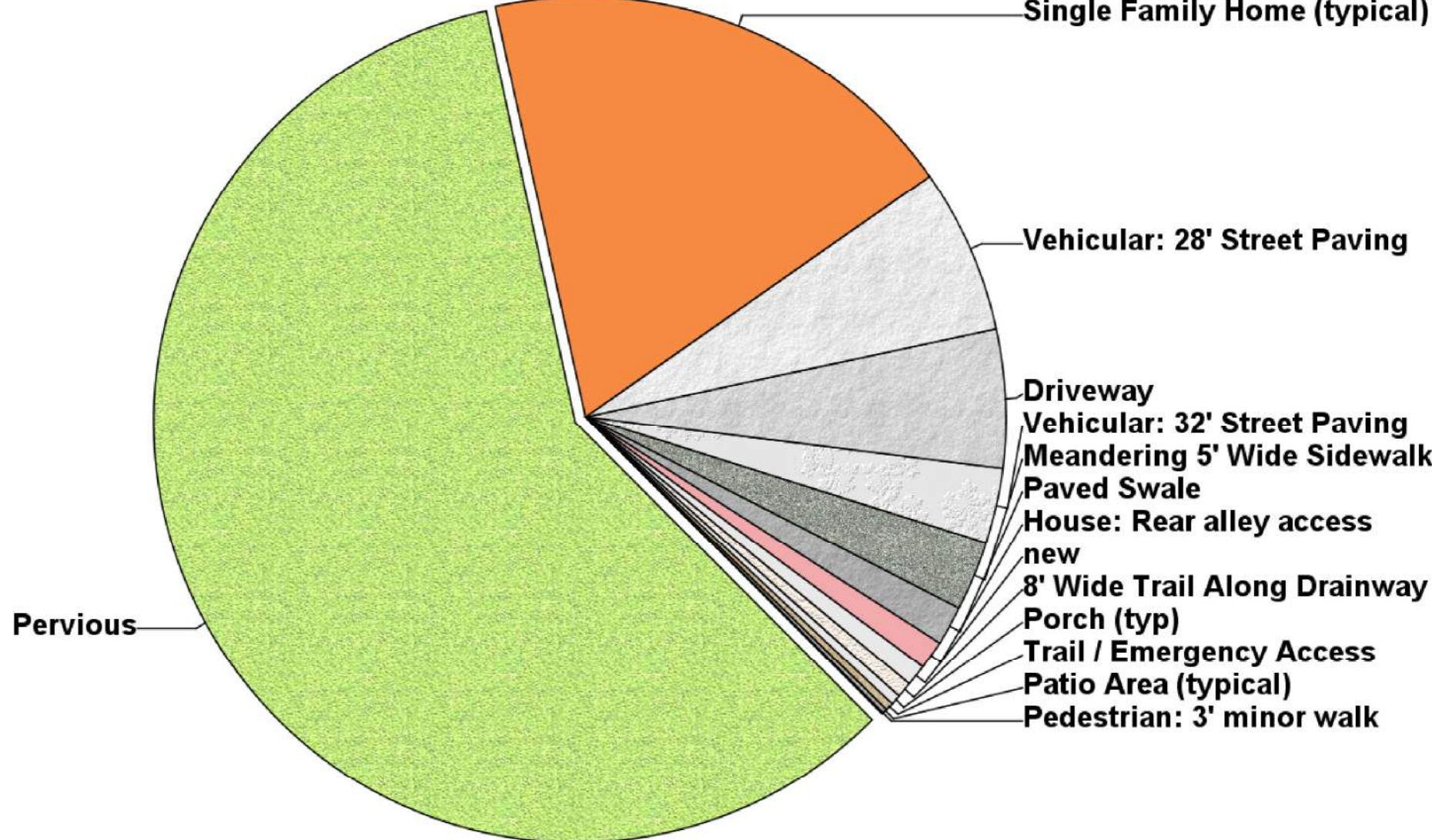
**EXHIBIT 2**  
**CONCEPTUAL COVING PLAN**



1" = 80 feet



Environmental Density - Man-made Impacts (40.9%)



Total Site: 2,882,048 ft² (66.1627 acres)			
■ Pedestrian: 3' minor walk...	0.0%	1,300 ft²	(0.0296 acres)
■ Trail / Emergency Access...	0.3%	7,651 ft²	(0.1756 acres)
■ 8' Wide Trail Along Drainway	0.6%	16,988 ft²	(0.3900 acres)
■ House: Rear alley access...	1.1%	31,582 ft²	(0.7250 acres)
■ Meandering 5' Wide Sidewalk...	2.7%	77,887 ft²	(1.7880 acres)
■ Driveway...	5.3%	153,918 ft²	(3.5335 acres)
■ Single Family Home (typical)	18.7%	539,035 ft²	(12.3745 acres)
■ Vehicular: 28' Street Paving	0.2%	5,856 ft²	(0.1344 acres)
■ Porch (typ)	0.4%	12,552 ft²	(0.2882 acres)
■ new...	0.8%	22,974 ft²	(0.5274 acres)
■ Paved Swale...	1.5%	44,124 ft²	(1.0129 acres)
■ Vehicular: 32' Street Paving	2.9%	82,513 ft²	(1.8942 acres)
■ Vehicular: 28' Street Paving	6.3%	182,292 ft²	(4.1848 acres)
■ Pervious...	59.1%	1,703,376 ft²	(39.1041 acres)

# Heritage Oaks Neighborhood Of Schertz, Texas

By: AWE Development Co., LLC.  
14502 Brook Hollow Boulevard  
San Antonio, Texas 78232

**Westwood**

Multi-Disciplined  
Surveying & Engineering



Rick Harrison Site Design  
Studio

## Information:

Total Site Area:	66.162 Acres
Total Number of Lots:	207
Lots 60' Wide @ front Setback (10,866.6 sq.ft. average lot size)	50
Lots 50' Wide @ front Setback (8,432.2 sq.ft. average lot size)	157
Linear feet of Street	7,735.9'
Linear feet of Alley	1,163.3'
Total Area Meandering Front Yard (Front Setback to Curb)	13.7008 Acres
Park/Commons	12.163 Acres

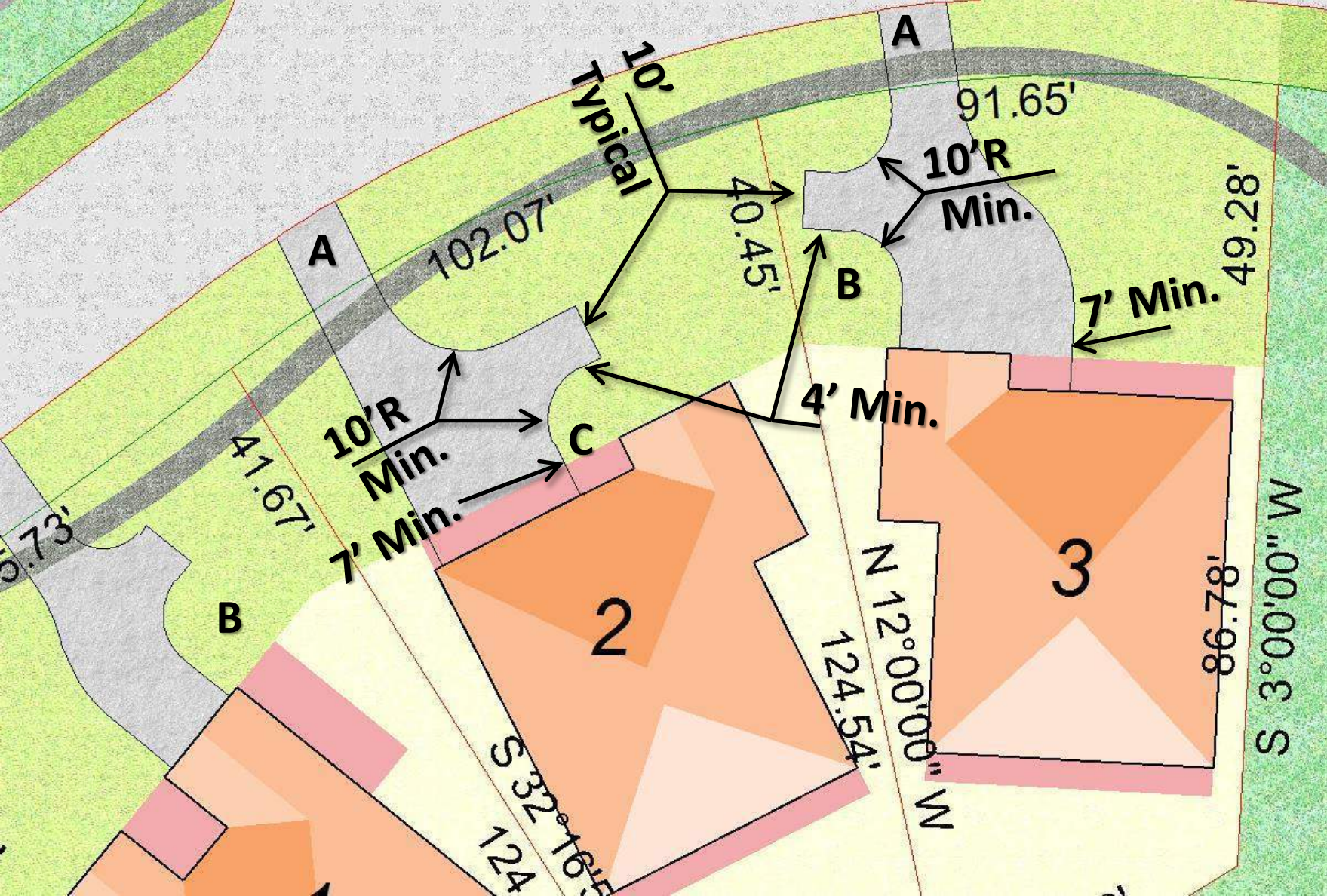
## Notes:

The homes shown are for graphical purposes only. They show the opportunities for builders to take advantage of wider pads where they allow expansion in front or rear of the lots and allow homeowners to provide for future expansion.

For more complete information in video format see [www.rhsdplanning.com/uploads/Sherztz.mp4](http://www.rhsdplanning.com/uploads/Sherztz.mp4)



**EXHIBIT 3**  
**DRIVEWAY DETAIL**



Notes:

A:

Driveway width at the street should be a minimum 10' wide to a maximum of 16' wide.

B:

If the offset and angle of the garage to the side lot line allows the 'T' to be located towards the side yard instead of the front of the home, the 'T' should be located in the side instead of the front.

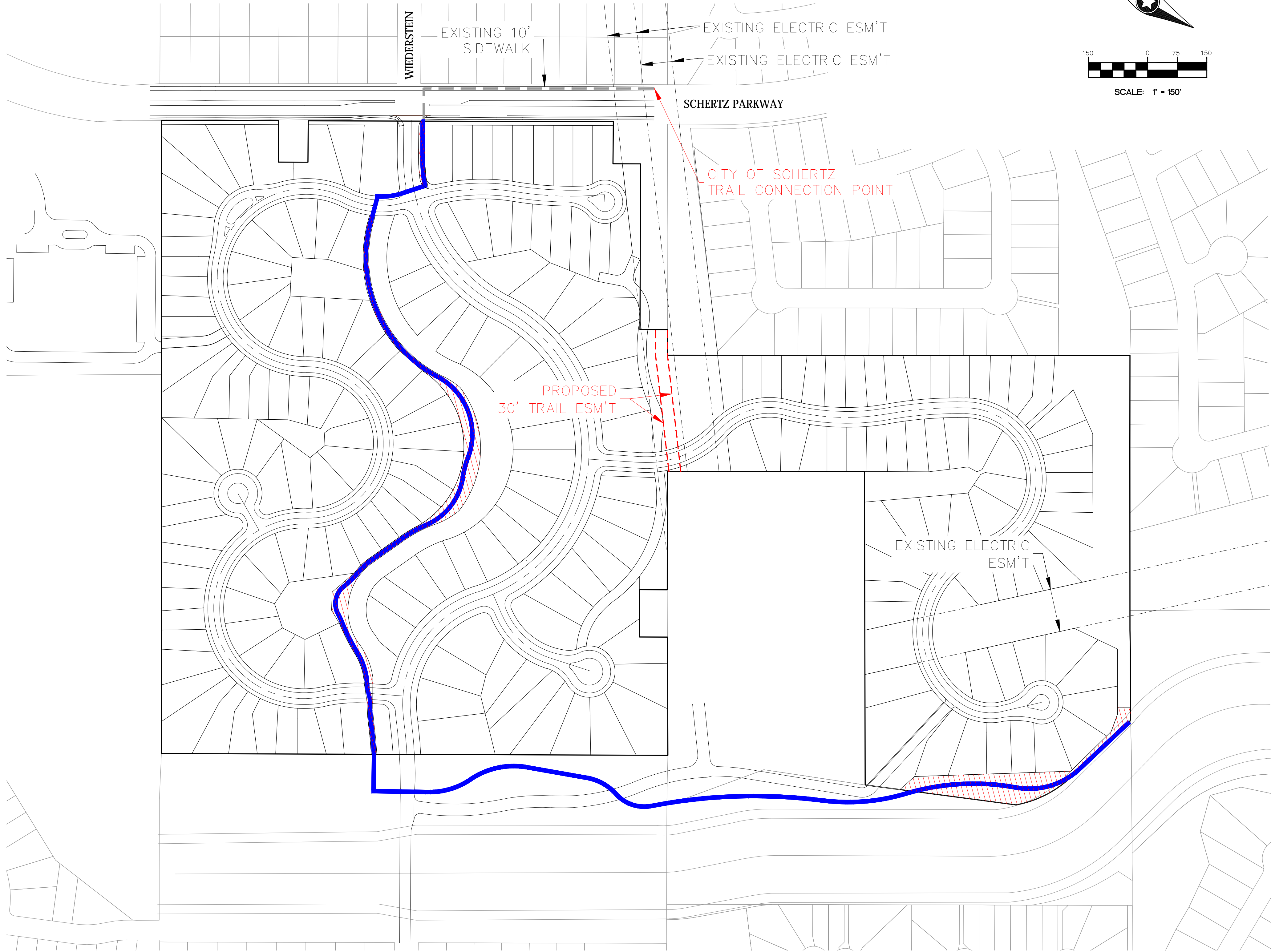
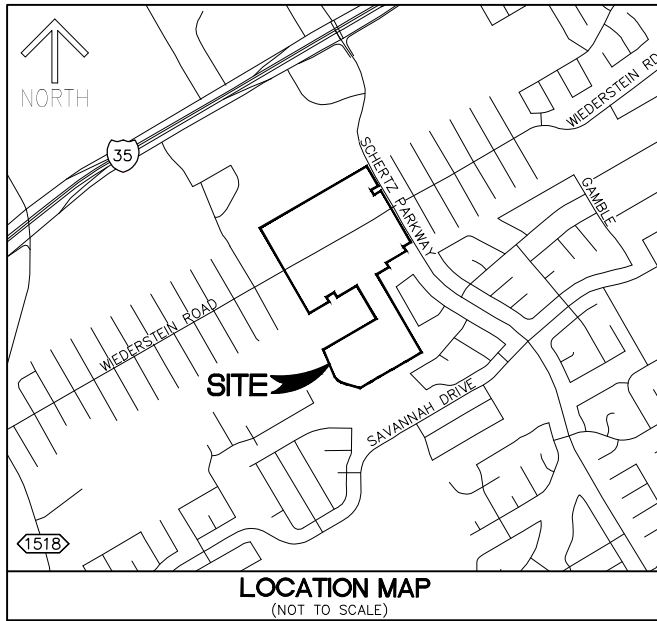
C:

On lots with extra deep setback, the 7' minimum can be increased.

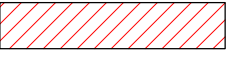
# Driveway Detail


**EXHIBIT 4**  
**WIEDERSTEIN AND WEST DIETZ CREEK**  
**TRAIL PLAN**





**LEGEND**

 PARK AREA DEDICATED TO CITY OF SCHERTZ

 TRAIL CONSTRUCTED BY DEVELOPER

**HERITAGE OAKS NEIGHBORHOOD**  
**66.16 ACRES ~ TOTAL TRACT AREA**

**ENGINEER / APPLICANT:**  
WESTWOOD PROFESSIONAL SERVICES  
1718 DRY CREEK WAY, SUITE 110  
SAN ANTONIO, TEXAS 78259  
TEL: (210) 265-8300

**SURVEYOR**  
WESTWOOD PROFESSIONAL SERVICES  
1718 DRY CREEK WAY, SUITE 110  
SAN ANTONIO, TEXAS 78259  
TEL: (210) 265-8300

**OWNER / DEVELOPER**  
PRESIDIO GROUP, LLC  
18618 TUSCANY STONE, SUITE 200  
SAN ANTONIO, TEXAS 78258  
TEL: (210) 826-9000

**HERITAGE OAKS NEIGHBORHOOD**  
**WIEDERSTEIN AND WEST DIETZ CREEK**  
**TRAIL PLAN**

JOB NO.:	24313.00
DATE:	DECEMBER 2020
DESIGN:	
DRAWN:	DAD
CHECKED:	

**SHEET**  
**EXHIBIT**

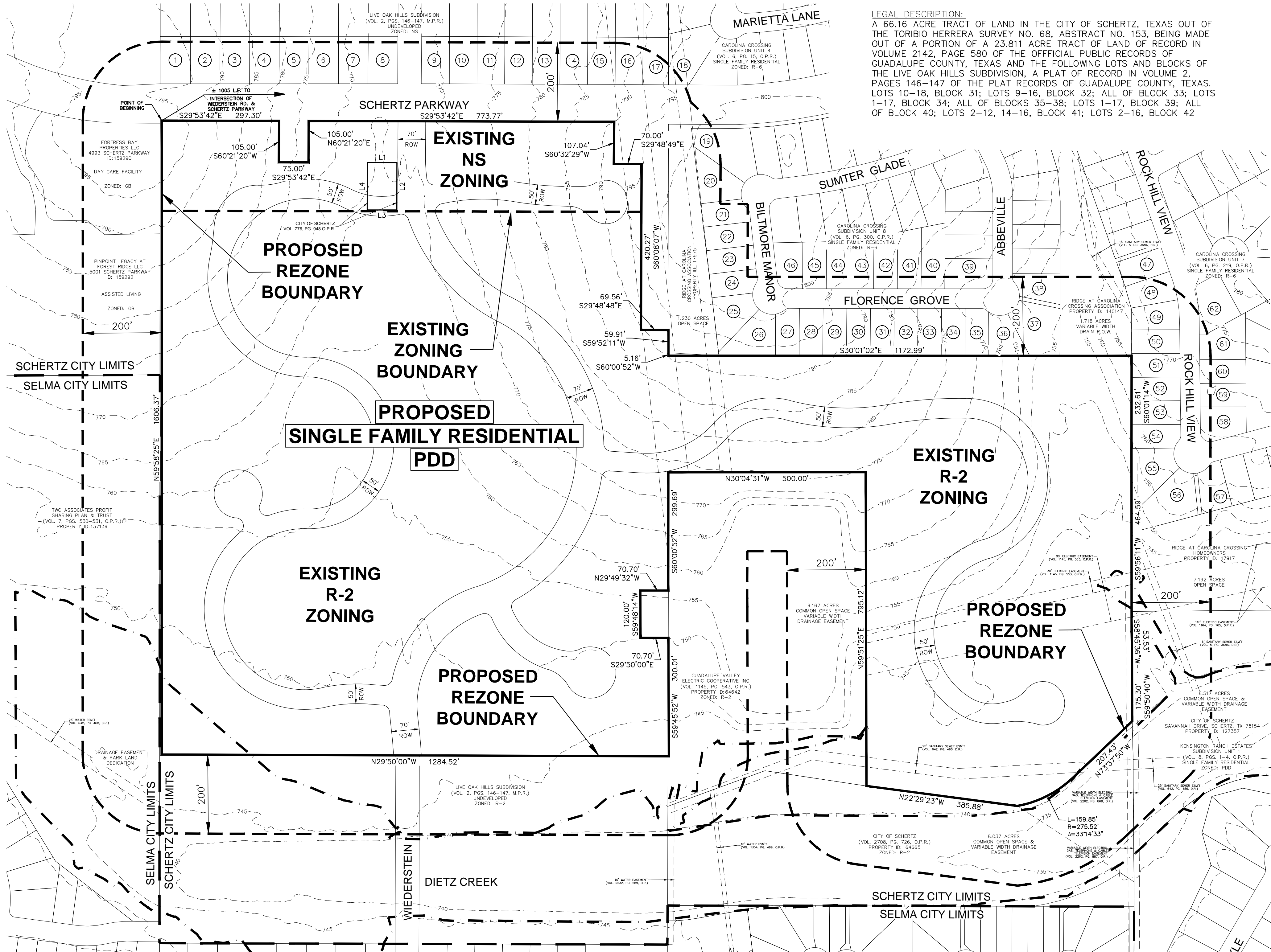
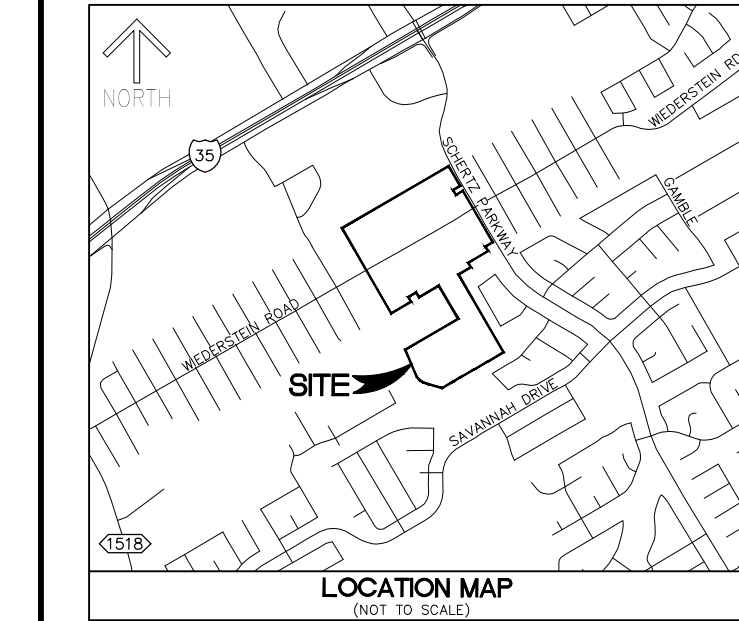
NO.	DATE	REVISIONS	BY

**Westwood**

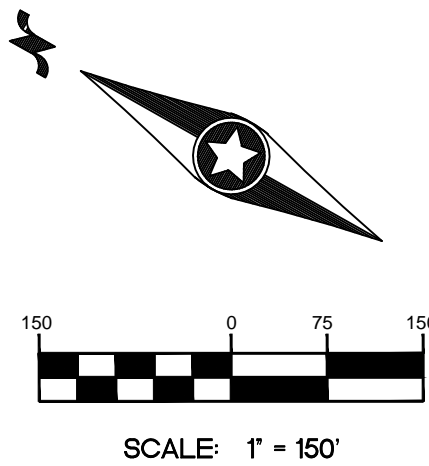
Phone (210) 265-8300 1718 Dry Creek Way, Suite 110  
Toll Free (888) 937-5150 San Antonio, TX 78259  
westwoodps.com  
Westwood Professional Services, Inc.  
TBPLS FIRM NO. 10194064 - TBPE FIRM NO. F-11756

**EXHIBIT 5**  
**ZONING EXHIBIT**





LEGAL DESCRIPTION:  
A 66.16 ACRE TRACT OF LAND IN THE CITY OF SCHERTZ, TEXAS OUT OF THE TORIBIO HERRERA SURVEY NO. 68, ABSTRACT NO. 153, BEING MADE OUT OF A PORTION OF A 23.811 ACRE TRACT OF LAND OF RECORD IN VOLUME 2142, PAGE 580 OF THE OFFICIAL PUBLIC RECORDS OF GUADALUPE COUNTY, TEXAS AND THE FOLLOWING LOTS AND BLOCKS OF THE LIVE OAK HILLS SUBDIVISION, A PLAT OF RECORD IN VOLUME 2, PAGES 146-147 OF THE PLAT RECORDS OF GUADALUPE COUNTY, TEXAS. LOTS 10-18, BLOCK 31; LOTS 9-16, BLOCK 32; ALL OF BLOCK 33; LOTS 1-17, BLOCK 34; ALL OF BLOCKS 35-38; LOTS 1-17, BLOCK 39; ALL OF BLOCK 40; LOTS 2-12, 14-16, BLOCK 41; LOTS 2-16, BLOCK 42



#### LEGEND

- PROJECT BOUNDARY
- 200' NOTIFICATION BOUNDARY
- 100YR FLOODPLAIN - FIRM PANEL NO.48029C0095F
- EXISTING CONTOURS
- PDD
- NS
- R-2
- ADJACENT PROPERTY OWNERSHIP SEE SHEET PDD-2

#### GENERAL NOTES

- THE THOROUGHFARE ALIGNMENTS SHOWN ON THIS EXHIBIT ARE FOR ILLUSTRATION PURPOSES AND DO NOT SET THE ALIGNMENT. ALIGNMENT IS DETERMINED AT TIME OF FINAL PLATTING.
- ALL OPEN SPACE, COMMON AREAS, GREENBELTS, LANDSCAPE, DRAINAGE EASEMENT OR OTHER AREAS IDENTIFIED AS PRIVATE SHALL BE THE RESPONSIBILITY OF THE OWNER OR OWNER'S SUCCESSORS AND/OR ASSIGNS.
- ACCORDING TO FLOOD INSURANCE RATE MAP, PANEL 48187C0210F DATED NOV. 2, 2007, SITE IS WITHIN THE 100-YEAR FLOODPLAIN.
- CONTOURS ARE FROM SAN ANTONIO RIVER AUTHORITY LIDAR.
- AN ELEVATION CERTIFICATE WILL BE REQUIRED FOR ALL LOTS WITHIN 100' OF THE 100 YEAR FLOOD.
- UTILITY SERVICE PROVIDED BY THE FOLLOWING ENTITIES:
  - WATER SERVICE - CITY OF SCHERTZ
  - SEWER SERVICE - CITY OF SCHERTZ
  - TELEPHONE SERVICE - AT&T
  - CABLE TELEVISION - SPECTRUM
  - GAS & ELECTRIC - GVEC

HERITAGE OAKS ZONING TABLE		
CONDITION	ZONING	AREA (AC.)
EXISTING	NS	5.81
EXISTING	R-2	60.35
PROPOSED	PDD	66.16

## HERITAGE OAKS NEIGHBORHOOD 66.16 ACRES ~ TOTAL TRACT AREA

LINE TABLE		
LINE	LENGTH	BEARING
L1	75.00'	S29° 53' 42"E
L2	120.00'	S60° 06' 18"W
L3	75.09'	N29° 53' 42"W
L4	120.00'	N60° 08' 45"E

#### ENGINEER / APPLICANT:

WESTWOOD PROFESSIONAL SERVICES  
1718 DRY CREEK WAY, SUITE 110  
SAN ANTONIO, TEXAS 78259  
TEL: (210) 265-8300

#### SURVEYOR

WESTWOOD PROFESSIONAL SERVICES  
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SAN ANTONIO, TEXAS 78259  
TEL: (210) 265-8300

#### OWNER / DEVELOPER

PRESIDIO GROUP, LLC  
18618 TUSCANY STONE, SUITE 200  
SAN ANTONIO, TEXAS 78258  
TEL: (210) 826-9000

NO.	DATE	REVISIONS	BY

**Westwood**

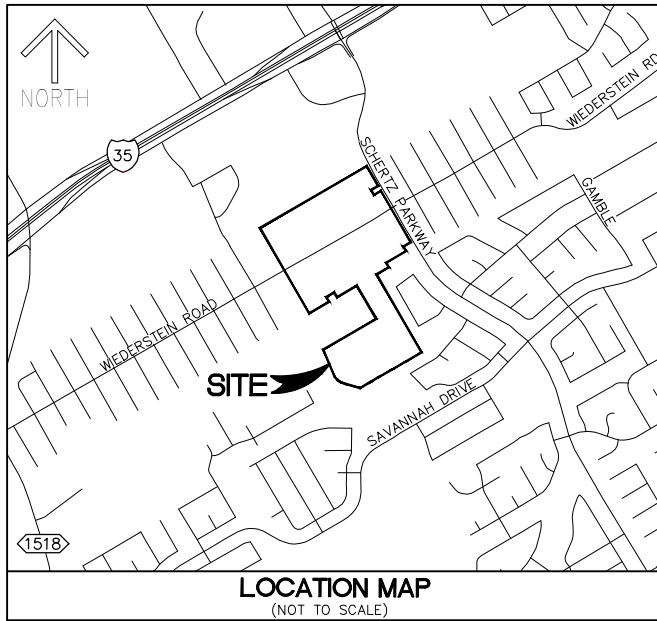
Phone (210) 265-8300  
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1718 Dry Creek Way, Suite 110  
San Antonio, TX 78259  
westwoodps.com

Westwood Professional Services, Inc.  
TBPFS FIRM NO. 10194064 - TBPFS FIRM NO. F-11756

## HERITAGE OAKS NEIGHBORHOOD PLANNED DEVELOPMENT DISTRICT ZONING EXHIBIT SCHERTZ, TEXAS

JOB NO.:	24313.00
DATE:	JANUARY 2020
DESIGN:	
DRAWN:	DAD
CHECKED:	





# HERITAGE OAKS NEIGHBORHOOD

## 66.16 ACRES ~ TOTAL TRACT AREA

### ADJACENT PROPERTY OWNERSHIP

#### LIVE OAKS HILLS SUBDIVISION

- SCHERTZ-CIBOLO-UNIVERSAL CITY ISD  
SCHERTZ PARKWAY, SCHERTZ, TX 78154  
PROPERTY ID: 32028
- NANCY SCHAEFER NON GST EXEMPT TRUST FBO JANE SCHAEFER  
SCHERTZ PARKWAY, SCHERTZ, TX 78154  
PROPERTY ID: 32027
- NANCY SCHAEFER NON GST EXEMPT TRUST FBO JANE SCHAEFER  
SCHERTZ PARKWAY, SCHERTZ, TX 78154  
PROPERTY ID: 32026
- SCHERTZ-CIBOLO-UNIVERSAL CITY ISD  
SCHERTZ PARKWAY, SCHERTZ, TX 78154  
PROPERTY ID: 32025
- SCHERTZ-CIBOLO-UNIVERSAL CITY ISD  
SCHERTZ PARKWAY, SCHERTZ, TX 78154  
PROPERTY ID: 32024
- JESUS LOPEZ & DORIS REBECCA HERNANDEZ  
SCHERTZ PARKWAY, SCHERTZ, TX 78154  
PROPERTY ID: 32023
- NANCY SCHAEFER NON GST EXEMPT TRUST FBO JANE SCHAEFER  
SCHERTZ PARKWAY, SCHERTZ, TX 78154  
PROPERTY ID: 32022
- CITY OF SCHERTZ  
SCHERTZ PARKWAY, SCHERTZ, TX 78154  
PROPERTY ID: 32021
- NANCY SCHAEFER NON GST EXEMPT TRUST FBO JANE SCHAEFER  
SCHERTZ PARKWAY, SCHERTZ, TX 78154  
PROPERTY ID: 32011
- NANCY SCHAEFER NON GST EXEMPT TRUST FBO JANE SCHAEFER  
SCHERTZ PARKWAY, SCHERTZ, TX 78154  
PROPERTY ID: 32010
- NANCY SCHAEFER NON GST EXEMPT TRUST FBO JANE SCHAEFER  
SCHERTZ PARKWAY, SCHERTZ, TX 78154  
PROPERTY ID: 32009
- NANCY SCHAEFER NON GST EXEMPT TRUST FBO JANE SCHAEFER  
SCHERTZ PARKWAY, SCHERTZ, TX 78154  
PROPERTY ID: 32008
- NANCY SCHAEFER NON GST EXEMPT TRUST FBO JANE SCHAEFER  
SCHERTZ PARKWAY, SCHERTZ, TX 78154  
PROPERTY ID: 32007
- NANCY SCHAEFER NON GST EXEMPT TRUST FBO JANE SCHAEFER  
SCHERTZ PARKWAY, SCHERTZ, TX 78154  
PROPERTY ID: 32006
- NANCY SCHAEFER NON GST EXEMPT TRUST FBO JANE SCHAEFER  
SCHERTZ PARKWAY, SCHERTZ, TX 78154  
PROPERTY ID: 32005
- CITY OF SCHERTZ  
SCHERTZ PARKWAY, SCHERTZ, TX 78154  
PROPERTY ID: 32004
- CITY OF SCHERTZ  
SCHERTZ PARKWAY, SCHERTZ, TX 78154  
PROPERTY ID: 32003

#### CAROLINA CROSSING SUBDIVISION UNIT 4

- GLENN R & SANDRA K BRETZKE  
3740 MARIETTA LANE, SCHERTZ, TX 78154  
PROPERTY ID: 17678

#### CAROLINA CROSSING SUBDIVISION UNIT 8

- OSCAR & KIMBERLY RAMIREZ  
3500 SUMTER GLADE, SCHERTZ, TX 78154  
PROPERTY ID: 17949
- MARK D & SANDRA MASON  
3400 BILTMORE MANOR, SCHERTZ, TX 78154  
PROPERTY ID: 17950
- TRAVIS C & DAWN DUPLANTIER ROBINETTE  
3404 BILTMORE MANOR, SCHERTZ, TX 78154  
PROPERTY ID: 17951
- KAREN SHELTON BRITSCH  
3408 BILTMORE MANOR, SCHERTZ, TX 78154  
PROPERTY ID: 17952
- EDWARD M JR & DESSA A ANDERSON  
3412 BILTMORE MANOR, SCHERTZ, TX 78154  
PROPERTY ID: 17953
- JEFF R & MARILYN P INGRAM  
3416 BILTMORE MANOR, SCHERTZ, TX 78154  
PROPERTY ID: 17954
- NORMA & MARK HIDALGO  
3420 BILTMORE MANOR, SCHERTZ, TX 78154  
PROPERTY ID: 17955
- MARKE & PAULA J SAINT HILL  
3740 FLORENCE GROVE, SCHERTZ, TX 78154  
PROPERTY ID: 17956
- STEVE A & CATIA CHANDLER  
3736 FLORENCE GROVE, SCHERTZ, TX 78154  
PROPERTY ID: 17957
- DONALD J & KERRY BROWN  
3732 FLORENCE GROVE, SCHERTZ, TX 78154  
PROPERTY ID: 17958
- JAVIER PALACIOS & DIANA ANDREA  
3728 FLORENCE GROVE, SCHERTZ, TX 78154  
PROPERTY ID: 17959
- TIMOTHY K & KIMBERLY A CARROLL  
3724 FLORENCE GROVE, SCHERTZ, TX 78154  
PROPERTY ID: 17960
- CINDY L FOLLETTE  
3720 FLORENCE GROVE, SCHERTZ, TX 78154  
PROPERTY ID: 17961

- MICHELLE L & ERWIN R IVERY  
3716 FLORENCE GROVE, SCHERTZ, TX 78154  
PROPERTY ID: 17962
- YADIRA VANESSA & RAUL PRADO TIRADO  
3712 FLORENCE GROVE, SCHERTZ, TX 78154  
PROPERTY ID: 17963
- GEORGE SHILOBOOD  
3708 FLORENCE GROVE, SCHERTZ, TX 78154  
PROPERTY ID: 17964
- JOHN E & JESSICA LEESANG  
3704 FLORENCE GROVE, SCHERTZ, TX 78154  
PROPERTY ID: 17965
- ADRIAN CORNEJO  
3700 FLORENCE GROVE, SCHERTZ, TX 78154  
PROPERTY ID: 17966
- JUSTIN L & AMANDA E WILLMANN  
3429 ABBEVILLE DRIVE, SCHERTZ, TX 78154  
PROPERTY ID: 17967
- DOUGLAS A & KRISTIN K PACK  
3425 ABBEVILLE DRIVE, SCHERTZ, TX 78154  
PROPERTY ID: 17968
- STEVE B & HOLLY A NAGY  
3416 ABBEVILLE DRIVE, SCHERTZ, TX 78154  
PROPERTY ID: 17923
- MICHAEL CRISTOPHER MULLEN  
3711 FLORENCE GROVE, SCHERTZ, TX 78154  
PROPERTY ID: 17924
- TIMOTHY B & EMILY M PAULSEN  
3715 FLORENCE GROVE, SCHERTZ, TX 78154  
PROPERTY ID: 17925
- FRANK & DIANE E ADAMS  
3719 FLORENCE GROVE, SCHERTZ, TX 78154  
PROPERTY ID: 17926
- JASON M & COURTNEY L WILLIAMS  
3723 FLORENCE GROVE, SCHERTZ, TX 78154  
PROPERTY ID: 17927
- JOHN D JR & YOVANNY C HULSEY  
3727 FLORENCE GROVE, SCHERTZ, TX 78154  
PROPERTY ID: 17928
- ROBERT & SHARON ST CLAIR  
3731 FLORENCE GROVE, SCHERTZ, TX 78154  
PROPERTY ID: 17929
- MICHELLE & DONNIE L ST JOHN  
3735 FLORENCE GROVE, SCHERTZ, TX 78154  
PROPERTY ID: 17930

#### CAROLINA CROSSING SUBDIVISION UNIT 7

- DOROTHY L HYATT & TROY H POCHER  
3493 ROCK HILL VIEW, SCHERTZ, TX 78154  
PROPERTY ID: 17915
- SALLY L & JOHN D RIOJAS  
3489 ROCK HILL VIEW, SCHERTZ, TX 78154  
PROPERTY ID: 17914
- JAMES P MURRAY JR  
3485 ROCK HILL VIEW, SCHERTZ, TX 78154  
PROPERTY ID: 17913
- GERDA A PETERSON  
3481 ROCK HILL VIEW, SCHERTZ, TX 78154  
PROPERTY ID: 17912
- ROBERT J & MALLORY A DUNCAN  
3477 ROCK HILL VIEW, SCHERTZ, TX 78154  
PROPERTY ID: 17911
- BENJAMIN JOSEPH & ELIZABETH MASSIE PYRC  
3473 ROCK HILL VIEW, SCHERTZ, TX 78154  
PROPERTY ID: 17910
- MATTHEW P MANGINI  
3469 ROCK HILL VIEW, SCHERTZ, TX 78154  
PROPERTY ID: 17909
- UNKNOWN  
3465 ROCK HILL VIEW, SCHERTZ, TX 78154  
PROPERTY ID: 17908
- RACHEL LEIGH JACKSON  
3461 ROCK HILL VIEW, SCHERTZ, TX 78154  
PROPERTY ID: 17907
- KENNETH R & NORMA Y MIESS  
3457 ROCK HILL VIEW, SCHERTZ, TX 78154  
PROPERTY ID: 17906
- RALPH E & GREER E HORRELL  
3420 DARTMOUTH COVE, SCHERTZ, TX 78154  
PROPERTY ID: 17905
- ROBERT J & NANCY S SCHRADER  
3464 ROCK HILL VIEW, SCHERTZ, TX 78154  
PROPERTY ID: 17875
- UNKNOWN  
3468 ROCK HILL VIEW, SCHERTZ, TX 78154  
PROPERTY ID: 17876
- HEATHER SHERMAN & VICTOR ISRAEL LEAL  
3472 ROCK HILL VIEW, SCHERTZ, TX 78154  
PROPERTY ID: 17877
- ROBERT J WILLIS JR  
3476 ROCK HILL VIEW, SCHERTZ, TX 78154  
PROPERTY ID: 17878

#### ENGINEER / APPLICANT:

WESTWOOD PROFESSIONAL SERVICES  
1718 DRY CREEK WAY, SUITE 110  
SAN ANTONIO, TEXAS 78259  
TEL: (210) 265-8300

#### SURVEYOR

WESTWOOD PROFESSIONAL SERVICES  
1718 DRY CREEK WAY, SUITE 110  
SAN ANTONIO, TEXAS 78259  
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#### OWNER / DEVELOPER

PRESIDIO GROUP, LLC  
18618 TUSCANY STONE, SUITE 200  
SAN ANTONIO, TEXAS 78258  
TEL: (210) 826-9000

NO.	DATE	REVISIONS	BY

Westwood

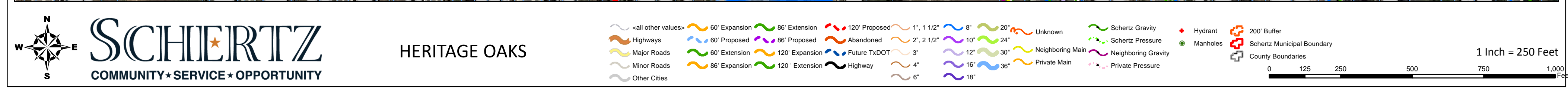
Phone (210) 265-8300  
TollFree (888) 937-5750  
San Antonio, TX 78259  
westwoodpa.com  
Westwood Professional Services, Inc.  
TBP,LS FIRM NO. 10184044 - TBP FIRM NO. F-11756

HERITAGE OAKS NEIGHBORHOOD  
PLANNED DEVELOPMENT DISTRICT  
ZONING EXHIBIT  
SCHERTZ, TEXAS

JOB NO.:	24313.00
DATE:	JANUARY 2020
DESIGN:	
DRAWN:	DAD
CHECKED:	

SHEET  
PDD-2









Reply Form

I am: in favor of ☐

opposed to ☒

neutral to ☐

the request for ZC2020-005

COMMENTS: \_\_\_\_\_

NAME: \_\_\_\_\_

(PLEASE PRINT)

SIGNATURE \_\_\_\_\_

STREET ADDRESS: \_\_\_\_\_

DATE: \_\_\_\_\_

1400 Schertz Parkway



Schertz, Texas 78154



210.619.1000



[schertz.com](http://schertz.com)



Reply Form

I am: in favor of ☐ opposed to ☒ neutral to ☐ the request for **ZC2020-005**

COMMENTS: It would be a shame to loose all of the wild life.

NAME: Robert Duncan SIGNATURE [Signature]  
(PLEASE PRINT)

STREET ADDRESS: 3177 Rock Hill View

DATE: 4/14/2021

1400 Schertz Parkway



Schertz, Texas 78154



210.619.1000



[schertz.com](http://schertz.com)

Reply Form

I am: in favor of ☐ opposed to ☒ neutral to ☐ the request for ZC2020-005

COMMENTS: the area should remain residential

NAME: Travis Robinette SIGNATURE [Signature]  
(PLEASE PRINT)

STREET ADDRESS: 3404 Biltmore Manor Schertz

DATE: 4/5/2021

1400 Schertz Parkway



Schertz, Texas 78154



210.619.1000



[schertz.com](http://schertz.com)

Reply Form

I am: in favor of ☐ opposed to ☒ neutral to ☐ the request for ZC2020-005

COMMENTS: THE REST OF SAVANNAH IS RESIDENTIAL - DON'T NEED ANY COMMERCIAL BUILDING NEXT TO MY NEIGHBORHOOD.

NAME: JASON WILLIAMS  
(PLEASE PRINT)

SIGNATURE

Jason Williams

STREET ADDRESS: 3723 FLORENCE GRV

DATE: 5 APR 2021

PLEASE PROVIDE A BUSINESS PLAN & INTENDED USE OF THE LAND PRIOR TO REQUESTING A REZONING OF THAT PROPERTY.

Reply Form

I am: in favor of ☐ opposed to ☒ neutral to ☐ the request for ZC2020-005

COMMENTS: too many people in an area, esp. with drought occurring, will lead to water rationing or no water

NAME: Ed and Dessa Anderson SIGNATURE Ed Dessa Anderson water

(PLEASE PRINT)

STREET ADDRESS: 3412 Biltmore Manor for existing families!

DATE: April 14<sup>th</sup>, 2021.

Trees add natural beauty to Schertz!  
Will create more traffic problems in the area.

1400 Schertz Parkway



Schertz, Texas 78154



210.619.1000



[schertz.com](http://schertz.com)



## NOTICE OF PUBLIC HEARING

April 2, 2021

Dear Property Owner,

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**ZC2020-005** – A request to rezone approximately 66 acres of land from Single-Family Residential District (R-2) and Neighborhood Services District (NS) to Planned Development District (PDD), generally located southwest of the intersection between Schertz Parkway and Wiederstein Road, City of Schertz, Guadalupe County, Texas.

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Sincerely,

Nick Kopyay  
Senior Planner

## Reply Form

I am: in favor of ☐ opposed to ☒ neutral to ☐ the request for ZC2020-005COMMENTS: Worried about strain on water + electric systemsNAME: Sharon StClair SIGNATURE Sharon StClair  
(PLEASE PRINT)STREET ADDRESS: 3731 Florence Grove, Schertz, TXDATE: 4-14-21

**NOTICE OF PUBLIC HEARING**

April 2, 2021

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Sincerely,

*Nick Kopyay*

Nick Kopyay  
Senior Planner

**Reply Form**

I am: in favor of ☐ opposed to ☒ neutral to ☐ the request for ZC2020-005

COMMENTS: Building in flood zone, Don't get rid of green belt

NAME: Ivan and Christy Arana SIGNATURE [Signature]  
(PLEASE PRINT)

STREET ADDRESS: 3700 Florence Grv, Schertz

DATE: 04/12/2021

property ID: 17966

NOTICE OF PUBLIC HEARING

April 2, 2021

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Sincerely,

*Nick Koplyay*

Nick Koplyay  
Senior Planner

Reply Form

I am: in favor of ☐ opposed to ☐ neutral to ☐ the request for ZC2020-005

COMMENTS: Problem With Develop Issues

NAME: Hector Moreno SIGNATURE [Signature]  
(PLEASE PRINT)

STREET ADDRESS: 3416 Abbeville Dr. Schertz TX

DATE: 4/13/2021

property ID: 17923

NOTICE OF PUBLIC HEARING

April 2, 2021

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Sincerely,



Nick Kopyay  
Senior Planner

Reply Form

I am: in favor of ☐ opposed to ☒ neutral to ☐ the request for **ZC2020-005**

COMMENTS: strongly opposed

NAME: Lori Kolodniejski SIGNATURE   
(PLEASE PRINT)

STREET ADDRESS: 3468 Rock Hill View 17876

DATE: 4-12-21



## Megan Harrison

---

**From:** Rachel Dias <rachelleigh21@yahoo.com>  
**Sent:** Tuesday, April 13, 2021 4:41 PM  
**To:** planning@schertz.com  
**Subject:** statement for P&Z meeting for 4/13/2021

Good Evening,

Please accept these remarks in my absence from tonight's meeting as I am the only parent at home with three children. As a ten year resident of Schertz, in the community of The Ridge of Carolina Crossing, I wish to express my strong opposition to the city's request to rezone the land along Weiderstein to PPD. Based on my review of the plan for development being proposed, I do not believe this to be in the best interest of the current or future residents of Schertz, who deserve and expect quality neighborhoods that put the safety of families and children first. Additionally, I am concerned with the destruction of a great percentage of the green space behind my home, which would have numerous negative impacts on my family, the families of many others, and the current value of our homes. I am a proud citizen of Schertz, but I am disappointed that the city would even consider a rezone of the land in question. In speaking with numerous residents in my neighborhood, many who are the landowners whom the proposed change would directly impact, I did not find one who supported this proposal. I urge the city to listen to the voices of its residents and oppose the rezone and uphold the standards of development that our city has long held. Thank you,  
Rachel Rosas

3461 Rock Hill View  
Schertz, Tx  
210-748-2510

Sent from [Mail](#) for Windows 10

## **Megan Harrison**

---

**From:** Rachel Jackson <rachelnruben@icloud.com>  
**Sent:** Tuesday, April 13, 2021 8:01 AM  
**To:** planning@schertz.com  
**Subject:** Opposition notices for PDD proposal

Nick  
Please find attached notices of opposition to proposed PDD from numerous residents of Ridge at Carolina Crossing.  
Thank you  
Rachel Rosas  
3461 Rock Hill View

## NOTICE OF PUBLIC HEARING

April 2, 2021

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Sincerely,

Nick Kopyay  
Senior Planner

## Reply Form

I am: in favor of ☐ opposed to ☒ neutral to ☐ the request for **ZC2020-005**

COMMENTS:

NAME:

(PLEASE PRINT)

STREET ADDRESS:

DATE:

NOTICE OF PUBLIC HEARING

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Sincerely,



Nick Kopyay  
Senior Planner

Reply Form

I am: in favor of ☐ opposed to ☒ neutral to ☐ the request for **ZC2020-005**

COMMENTS: \_\_\_\_\_

NAME: Jimmy Wiley SIGNATURE Jimmy Wiley  
(PLEASE PRINT)

STREET ADDRESS: 3475 Scarlet Rose

DATE: 4/13/2021



## NOTICE OF PUBLIC HEARING

April 2, 2021

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Sincerely,



Nick Kopyay  
Senior Planner

## Reply Form

I am: in favor of ☐ opposed to ☒ neutral to ☐ the request for **ZC2020-005**

COMMENTS: I am strongly opposed!

NAME: Dawn Murray (PLEASE PRINT) SIGNATURE Dawn Murray

STREET ADDRESS: 3485 Rock Hill View, Schertz

DATE: 04/12/2021 TX 78154

## NOTICE OF PUBLIC HEARING

April 2, 2021

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Sincerely,

Nick Kopyay  
Senior Planner

## Reply Form

I am: in favor of ☐ opposed to ☒ neutral to ☐ the request for **ZC2020-005**

COMMENTS: \_\_\_\_\_

NAME: TRAY H. Pocher SIGNATURE   
(PLEASE PRINT)STREET ADDRESS: 3493 Rock Hall ViewDATE: 4-12-2021

NOTICE OF PUBLIC HEARING

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Sincerely,

*Nick Kopyay*

Nick Kopyay  
Senior Planner

Reply Form

I am: in favor of ☐ opposed to ☒ neutral to ☐ the request for **ZC2020-005**

COMMENTS:

NAME:

*Heather Leal*  
(PLEASE PRINT)

SIGNATURE

*Heather Leal*

STREET ADDRESS:

*3472 Rock Hill View*

DATE:

*4-12-2021*

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Sincerely,

*Nick Kopyay*

Nick Kopyay  
Senior Planner

Reply Form

I am: in favor of ☐ opposed to ☒ neutral to ☐ the request for **ZC2020-005**

COMMENTS: \_\_\_\_\_

NAME: Gilda Peterson SIGNATURE Gilda Peterson  
(PLEASE PRINT)

STREET ADDRESS: 3481 Rock Hill View Schertz Tx 78154

DATE: April 11 2021



## NOTICE OF PUBLIC HEARING

April 2, 2021

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Sincerely,



Nick Kopyay  
Senior Planner

## Reply Form

I am: in favor of ☐ opposed to ☒ neutral to ☐ the request for ZC2020-005

COMMENTS: negative impact of water pressure + drainage environment

NAME: Timothy Carroll SIGNATURE:   
(PLEASE PRINT)

STREET ADDRESS: 3724 Florence Grove

DATE: 13 April 2021

## NOTICE OF PUBLIC HEARING

April 2, 2021

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Sincerely,

Nick Kopyay  
Senior Planner

## Reply Form

I am: in favor of ☐ opposed to ☒ neutral to ☐ the request for ZC2020-005COMMENTS: environmental impact (negative)NAME: Cindy Follette SIGNATURE Cindy Follette  
(PLEASE PRINT)STREET ADDRESS: 3720 Florence Grv.DATE: 2/14/2021

## Megan Harrison

---

**From:** Doug Pack <dougpack@icloud.com>  
**Sent:** Tuesday, April 13, 2021 3:10 PM  
**To:** planning@schertz.com  
**Subject:** Public Hearing  
**Attachments:** Notice of Public Hearing.pdf

Reply form is attached.

This is a bad idea. The Paschal Elementary is already over crowded. The roads are too busy. Police rarely patrol Schertz Parkway or Savannah. How could this improve the lives of Schertz residents? Just leave the land as is. We need more green space. Most residents moved to Schertz to get away from the crowded city.

Regards,

Doug Pack  
210-268-6980

NOTICE OF PUBLIC HEARING

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Sincerely,



Nick Kopyay  
Senior Planner

Reply Form

I am: in favor of ☐ opposed to ☒ neutral to ☐ the request for ZC2020-005

COMMENTS: How will this improve the lives of Schertz Residents

NAME: Douglas A. Pack Jr. SIGNATURE [Signature]  
(PLEASE PRINT)

STREET ADDRESS: 3425 Abbeville Dr.

DATE: 4/13/2021



NOTICE OF PUBLIC HEARING

April 2, 2021

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Sincerely,

*Nick Koplyay*

Nick Koplyay  
Senior Planner

Reply Form

I am: in favor of ☐ opposed to ☒ neutral to ☐ the request for ZC2020-005

COMMENTS: In addition to traffic concerns for both Savannah Dr. and Wiederstein,

NAME: Elizabeth Pyre  
(PLEASE PRINT)

SIGNATURE

*Elizabeth Pyre*

STREET ADDRESS: 3473 Rock Hill View Schertz, TX 78154

DATE: 04/12/2021

*I am concerned with  
flooding issues since there is so much  
drainage in the land involved with this  
proposed re-zone. I bought my home b/c of lack  
of development behind me, and I feel  
the city would de-value my property w/ this re-zone.*

## Megan Harrison

---

**From:** Elizabeth Pyrc <elizabeth.pyrc@yahoo.com>  
**Sent:** Tuesday, April 13, 2021 1:39 PM  
**To:** planning@schertz.com  
**Subject:** Response for Proposed Zone Change for 4/14/2021 Planning and Zoning Meeting  
**Attachments:** SCHERTZ.pdf

To whom it may concern;

Along with the attached reply form, I am submitting the below statement to be read and become part of public record for the Hearing of Residents for the Planning and Zoning Meeting scheduled for April 14, 2021.

I am a relatively new resident of Schertz. A city I have come to love and appreciate in the nearly two years I have been able to call this my hometown. Learning of the proposed Heritage Oaks Plan is concerning to me as this is property located directly behind my home. After careful consideration I have come to the realization that changing the zoning of this area for this purpose, is not in keeping with current city guidance.

From our own city's Unified Development Code, in section 21.5.1, it tells us the purpose and applicability of zoning districts is: "They have been designed to lessen the congestion in the streets, to secure safety from fire, panic and other dangers, to ensure adequate light and air, to prevent the overcrowding of land and thus avoid undue concentration of population, and to facilitate the adequate provision of transportation, water supply, wastewater treatment, schools, parks and other public requirements. They are established with reasonable consideration for, among other things, the character of each zoning district and its peculiar suitability for the particular uses specified, conserving the value of buildings and environmentally sensitive features, and encouraging the most appropriate use of land throughout the City."

The area in question is currently zoned for residential, R2, in section 21.5.5.B is defined as in this code as being "Comprised of single-family detached residential dwellings with a minimum lot size of 8,400 square feet, together with the schools, churches, and parks necessary to create basic neighborhood units."

In contrasts, per section 21.5.10.A, "The purpose of the Planned Development District is to promote and encourage innovative development that is sensitive to surrounding land uses and to the natural environment. If this necessitates varying from available zoning districts, the proposed development should demonstrate community benefits. A PDD should not be used to deviate from the provisions of this UDC (Unified Development Code) in a way that contradicts its intent."

This proposal for a zoning change from R2 to PDD, in this instance for the proposed Heritage Oaks development, clearly contradicts the cited purpose and applicability of zoning under the the Unified Development Code.

Changing the square footage of the lot size down to 5400 square feet doesn't avoid undue concentration, it encourages it. Having personal driveways facing the main thoroughfare (Weiderstein) in this proposed neighborhood greatly compromises safety of both potential residents and anyone who travels on this road. Such an increase in the amount of houses and subsequently residents calls into question the ability to ensure proper access to transportation, schools, parks and other public requirements for the 200+ homes that are planned to occupy this space.

The proposed neighborhood development of Heritage Oaks would not conserve the value of the environmentally sensitive features of this land. Current specs indicate that there is no requirement to retain any trees in this area if they are less than 24 inches in diameter (100 year trees) or if the tree is in the way of any planned right of way, street or other infrastructure. This would decimate all wildlife that currently live on this property and does not conserve the value of the environmentally sensitive features of this area.

This should lead any informed resident to question, is changing the current zone from R-2 to PDD for the purpose of the Heritage Oaks development plan truly the best and most appropriate use of this land? Surely not. City planners have long intended this land to be used for houses set on properly sized plots of land so that current resources and infrastructure are not overly taxed. The changing of R2, a clearly defined zone, to PDD, a zone that is not clearly defined, in this instance seems to be solely a decision motivated by money. By proposing to build and sell over 200 houses in a space that was never intended to be used for this purpose, our city planners and council are effectively stating that money generated by this subdivision is more important than maintaining the integrity of the long standing and long accepted Unified Development Code.

I formally oppose the proposed zoning change as I feel many informed residents would as well.

I thank you for your time and consideration in hearing my opinion.

Respectfully,

Elizabeth Pyrc  
Resident of the Ridge at Carolina Crossing

7:53



notice.pdf



PLANNING & COMMUNITY  
DEVELOPMENT

NOTICE OF PUBLIC HEARING

April 2, 2021

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Sincerely,

*Nick Kopyay*

Nick Kopyay  
Senior Planner

Reply Form

I am: ☐ in favor of ☒ opposed to ☐ neutral to the request for ZC2020-005

COMMENTS:

NAME: Susie Sheffield SIGNATURE: Susie Sheffield  
(PLEASE PRINT)

STREET ADDRESS: 3413 Obbeville Dr., Schertz 78154

DATE: 4/12/2021

1400 Schertz Parkway

Schertz, Texas 78154

210 619 1800

NOTICE OF PUBLIC HEARING

April 2, 2021

Dear Property Owner,

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Sincerely,

*Nick Kopyay*

Nick Kopyay  
Senior Planner

Reply Form

I am: in favor of ☐ opposed to ☒ neutral to ☐ the request for **ZC2020-005**

COMMENTS: Don't do it!

NAME: Heather Beckmann SIGNATURE Heather Beckmann  
(PLEASE PRINT)

STREET ADDRESS: 3508 Sumter Glade Schertz Tx 78154

DATE: 4/12/21



NOTICE OF PUBLIC HEARING

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Sincerely,

*Nick Kopyay*

Nick Kopyay  
Senior Planner

Reply Form

I am: in favor of ☐ opposed to ☒ neutral to ☐ the request for **ZC2020-005**

COMMENTS:

Infrastructure for our area doesn't support  
NAME: C + B Briston SIGNATURE: Current Population  
(PLEASE PRINT)

STREET ADDRESS:

3440 Dartmouth Cove, Schertz, TX 78154

DATE:

4/12/2021

## NOTICE OF PUBLIC HEARING

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Sincerely,

Nick Kopyay  
Senior Planner

## Reply Form

I am: in favor of ☐ opposed to ☒ neutral to ☐ the request for ZC2020-005COMMENTS: We are concerned about the resultant populationNAME: Mary Sparks SIGNATURE: Mary Sparks  
(PLEASE PRINT)STREET ADDRESS: 3491 Scarlet Rose Schertz, Tx 78154DATE: 4/14/21

→ density change to that area given that the change from R-2/NS to PDD will result in smaller lot sizing and therefore more houses in that area.

We feel that this may negatively affect traffic and schools for the area as well as potentially decrease property values of existing neighborhoods. Also concerned about how this may affect security of gated community located adjacent to the area.

## Megan Harrison

---

**From:** Ken Miess <miessk@yahoo.com>  
**Sent:** Wednesday, April 14, 2021 7:39 AM  
**To:** planning@schertz.com  
**Subject:** ZC2020-005  
**Attachments:** Planning and Zone Public Hearing Form Miess.pdf

I am opposed to the proposed development. This is sub par by any standard. Please have Presidio propose a new development that meets Schertz' standards!

NOTICE OF PUBLIC HEARING

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Sincerely,



Nick Kopyay  
Senior Planner

Reply Form

I am: in favor of ☐ opposed to ☒ neutral to ☐ the request for ZC2020-005

COMMENTS: Dangerous, sub par neighborhood. City staff, planning and council should be ashamed!

NAME: Kenneth Miess SIGNATURE \_\_\_\_\_  
(PLEASE PRINT)

STREET ADDRESS: 3457 Rock Hill View, Schertz TX 78154

DATE: April 13, 2021

No one should allow the developer, no matter how big and powerful, to even propose houses on a feeder road. Lots are ridiculously small, houses 10' apart (what happened to fire safety and the shed policy?!), parking on a feeder road, driveways on a feeder road and no public gathering places. Kids will be forced to play in yards, driveways and primary streets, running out from between parked cars, with limited sight distance on a twisting road. This has not been allowed on Savannah or on Wiederstein prior to now. Obligate the developer to build a safe, proper Schertz quality neighborhood. Zoning is like building codes for neighborhoods. They exist for a reason. You don't bend on the codes, why would you walk away from good zoning? Our residents deserve 8400 sq foot minimum lots, no houses on Wiederstein itself, and public gathering places must be provided. Anything less is shameful and the result of a lazy city staff, lazy city planning, and an absentee city council. To tell a developer, "hey, propose it and we'll see if the residents let you get away with it" is not what you are paid to do. Your job is to look out for us, and throw this back saying "this is not up to Schertz standards and you know it!"



## Megan Harrison

---

**From:** Ivan Arano <brujo2204@gmail.com>  
**Sent:** Tuesday, April 13, 2021 8:01 PM  
**To:** planning@schertz.com  
**Subject:** ZC2020-05 response from Carolina Crossing  
**Attachments:** 3426 Abbevie Dr.pdf; Carolina Crossing sub unit 8.pdf

Hello Planning and Zoning commission,

Please find the attached documents that include 8 responses from myself and other neighbors in both Florence Grv and Abbeville streets of the Carolina Crossing subdivision unit 8. I will be sending some more later today or tomorrow two hours before the meeting.

Please respond to this email with a confirmation that you received these documents.

Thank you,

Ivan Arano

## NOTICE OF PUBLIC HEARING

April 2, 2021

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Sincerely,

Nick Kopyay  
Senior Planner

## Reply Form

I am: in favor of ☐ opposed to ☒ neutral to ☐ the request for ZC2020-005

COMMENTS: \_\_\_\_\_

NAME: WILLIAM UHLHORN SIGNATURE W. Uhlhorn  
(PLEASE PRINT)STREET ADDRESS: 3421 ABBEYILLE DR.DATE: 4-13-21

## NOTICE OF PUBLIC HEARING

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Sincerely,

*Nick Kopyay*

Nick Kopyay  
Senior Planner

### Reply Form

I am: in favor of ☐ opposed to ☒ neutral to ☐ the request for ZC2020-005

COMMENTS: I.f. an easement is not in place.

NAME: John Lee Sang SIGNATURE: [Signature]  
(PLEASE PRINT)

STREET ADDRESS: 3704 Florence Grove, Schertz Tx 78154

DATE: 4/12/21

Property ID: 17965

## Emily Delgado

---

**From:** Amanda Willmann <akwillmann@hotmail.com>  
**Sent:** Wednesday, April 14, 2021 1:01 PM  
**To:** planning@schertz.com  
**Subject:** Response to be read at Planning and Zoning Committee meeting tonight.  
**Attachments:** Email to Planning Committee re Heritage Oaks.docx

Parcel: 17967

Good afternoon,

I am uncertain if I will be able to attend tonight's meeting but have prepared a list of concerns that I would like the committee and the assembled residents to take into consideration.

Thank you,

Amanda Willmann, Ph.D.

NOTE - This message contains an attachment that might contain a malicious payload. Schertz makes every effort to block transmission of dangerous attachments, but you as the recipient should always be cautious of receiving messages with attachments that you don't recognize or request from the sender.



Dear members of the Zoning and Planning Committee:

I write to you today DEEPLY concerned about the Heritage Oaks Planned Development District – 66 acres of land, generally located southwest of the intersection between Schertz Parkway and Wiederstein road.

Schertz is a PREMIER Texas community, nationally recognized for its family atmosphere, whose Core Values include statements such as “Do the right thing” and “Do the best you can” while our Policy Values list “Safe Community”, “High Quality of Life”, and “Attractive Community.” I respectfully request that you oppose this proposition to keep our community safe, to maintain our high standards, and to preserve some of the last beautifully wooded areas in the city.

**Safety concerns:**

- **Curving of the proposed Wiederstein road.** As stated in the Heritage Oaks PDD documents, the curving radius of the proposed changes to Wiederstein road DO NOT meet the City of Schertz Engineering Department Standards AND “requires drivers to work harder to be more attentive and monitor speeds more closely.” You do NOT want to create a road where drivers need to work harder to drive safely through a neighborhood full of children, residents, pedestrians, animals, and bikers especially because Wiederstein road is becoming a more heavily traveled thoroughfare as it connects 1518 to Schertz Parkway.
- **Alleys/Roadside Parking:** The Proposal includes alleys for homes that face Wiederstein road. Research by architect Oscar Newman, commissioned by the Department of Urban Planning and Development show that alleys INCREASE crime rates as they allow more entry points to a home with less visibility. In addition, a literature review commissioned by the Justice Department found studies showing that closing alleys reduced crime in Charlotte, Hartford, Los Angeles and St. Louis as well as several location in England. (<https://ti.org/antiplanner/?p=192>). Furthermore, the presence of these alleys decreases the amount of green space by adding an additional road.

- **Parking/Fake Bike Lane** – Parallel parking in front of homes that face Wiederstein road is inevitable. Even with an alley, most people prefer to park in the front of their home and if there is more than 1 driver in the home, they will need the extra parking space. This presents safety concerns for traffic along Wiederstein Road as these parked cars will push bikers and pedestrians into the road. The Heritage Oaks PDD highlights a bike lane, which is a complete joke, as it will simply be taken up by cars parked along the roadway, as stated in their plan. This is yet another huge safety concern for traffic, residents, and bikers.
- **Reduced Turn Around Radius of Cul-de-sacs:** The Heritage Oaks PDD states that it will have a reduced turn around radius for Cul-de-sacs of 100 feet as opposed to the currently required minimum of 150 feet. Again – huge safety concern. Cars will park along the curb, further reducing a vehicle's safe turnaround radius and this is a danger for traffic flow and residents as children often play in cul-de-sacs.

#### **A Premier Texas Family Community**

- **Lot Sizes and Setbacks:** The Heritage Oaks PDD plans to reduce the minimum lot size to 5400 sq ft. from the current required minimum of 8400 sq ft. allowing them to squeeze in as many homes as possible. They are also requesting the front setback to be reduced from 25 ft to 20 ft and the side setback to be reduced from 10 ft. to 5 ft., putting homes closer to the street as well as their neighbors. Packing homes in like sardines is not how one creates a Premier Texas Community, and this plan works in direct opposition to the pleasant, spacious, upscale community that Schertz is renowned for. Furthermore, if coving creates more green space and larger lots as repeatedly mentioned in the plan, why is the Heritage Oaks PDD requesting significantly smaller lot sizes?
- **"T" turnaround driveways:** The Heritage Oaks PDD continually speaks to reducing impervious coverage. "T" turnaround driveways, in addition to being unsightly and reducing a home's front yard size and appeal, will actually increase the impervious coverage as they are larger than a traditional driveway. Furthermore, the T section of the driveway will be used as additional parking instead of a turnaround area as

intended, resulting in vehicles backing into traffic on Wiederstein road, which is obviously dangerous and unsafe.

- **Wooded Areas:** The land in question is one of the last beautifully wooded spots in Schertz. Why would we eliminate the park and open spaces requirement, as requested by the Heritage Oaks PDD, on such a prize piece of land? One filled with trees, vegetation, and wildlife of all kinds. My family and I have personally seen deer, fox, coyotes, racoons, opossums, owls, and birds of all kinds in those woods. The currently planned “park” areas are nothing more than a strip of grass beside a trail. We should not lower our standards for this. In fact, Ashley Park is the closest park to the proposed Heritage Oaks PDD, so why not require them to build a nice city park connected to the proposed trails instead of cramming as many homes in as possible?

In closing I would like to say that I am baffled as to why the City of Schertz would agree to all these allowances when they are clearly not in the best interest of our community. Cramming homes in tight spaces, allowing alleys and “t” turnaround driveways not only increase the crime risk, but demean our community’s reputation and property values. Furthermore, The Heritage Oaks PDD raises severe safety concern for residents, pedestrians, children and bikers in regard to traffic, crime, driver safety and resident safety. Do not make exceptions to our standards that decrease the quality of life in Schertz and instead strive to uphold our high standards of being a premier Texas community, nationally recognized for our family atmosphere.

Sincerely,

Amanda Willmann, PhD

## NOTICE OF PUBLIC HEARING

April 2, 2021

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Sincerely,

Nick Koplyay  
Senior Planner

## Reply Form

I am: in favor of ☐ opposed to ☒ neutral to ☐ the request for ZC2020-005

COMMENTS: \_\_\_\_\_

NAME: Justin Willmann SIGNATURE:   
(PLEASE PRINT)STREET ADDRESS: 3429 Abbeville Dr, Schertz TX 78154DATE: April 13 2021

property ID 17967



**NOTICE OF PUBLIC HEARING**

April 2, 2021

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Sincerely,

*Nick Koplyay*

Nick Koplyay  
Senior Planner

I am: ☒ in favor of ☒ opposed to ☐ neutral to the request for ZC2020-005

COMMENTS: Not in favor of this

NAME: Zach Jarret SIGNATURE: [Signature]  
(PLEASE PRINT)

STREET ADDRESS: 3727 Florence Grove Schertz 78154

DATE: 04/12/2021

property ID: 17928

NOTICE OF PUBLIC HEARING

April 2, 2021

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Sincerely,

*Nick Kopyay*

Nick Kopyay  
Senior Planner

Reply Form

I am: in favor of ☐ opposed to ☒ neutral to ☐ the request for ZC2020-005

COMMENTS: DON'T DO IT!!

NAME: Michael Mullen SIGNATURE: Michael Mullen  
(PLEASE PRINT)

STREET ADDRESS: 3711 Florence Grove

DATE: 13 APR 2021

property ID: 17924

## NOTICE OF PUBLIC HEARING

April 2, 2021

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Sincerely,

*Nick Kopyay*

Nick Kopyay  
Senior Planner

### Reply Form

I am: in favor of ☐ opposed to ☒ neutral to ☐ the request for ZC2020-005

COMMENTS: Don't destroy the Greenbelt

NAME: Javier Palacios SIGNATURE: [Signature]  
(PLEASE PRINT)

STREET ADDRESS: 3728 Florence Grade, Schertz

DATE: 13 APR 2021

property ID: 17959

## Megan Harrison

---

**From:** d brown <djbrown523@yahoo.com>  
**Sent:** Tuesday, April 13, 2021 11:55 AM  
**To:** planning@schertz.com  
**Subject:** Opposed to Heritage Oaks Subdivision ZC2020-005

Attn: Nick Koplyay

13 April 2021

I'm writing to express our objections to building a subdivision behind the Ridge at Carolina Crossing.

When we moved to Schertz in 2009, it had a small city feel and a nice place to raise a family. Over the years, we've seen the addition of several large subdivisions throughout Schertz. The small city feel is quickly fading and our city is becoming nothing but a housing metropolis. We are rapidly losing what drew many of us here to call Schertz home many years ago.

We oppose this subdivision for several reasons:

1. This will remove a large portion of our greenspace. This area provides a home to various wildlife. It also provides a needed aesthetic separating us from living in a sea of wall to wall homes.
2. The trees provide a much needed buffer for traffic noise from FM 1518 and I35.
3. The traffic volume will increase exponentially on Schertz Parkway and FM 1518. The only changes to the roadways we've seen when a new subdivision is built are more traffic lights. The roads have not been widened nor altered to accommodate the increased volume. FM 1518 at I35 is a parking lot at 4:30PM. Schertz Parkway is also backing up at I35 and at Schertz Pkwy. Adding additional volume will only compound the problem.
4. We continue to build housing in an area that has severe drought problems. Adding more households on a strained water system does not seem prudent especially as temperatures continue to increase each year.

We appreciate your time and consideration on this matter.

Donald and Kerry Brown  
3732 Florence Grove  
Schertz, TX 78154



## Megan Harrison

---

**From:** George Shilobod <georgeshilobod@gmail.com>  
**Sent:** Tuesday, April 13, 2021 11:54 AM  
**To:** planning@schertz.com  
**Subject:** Proposed Zoning Development behind Ridge @ Carolina Crossing

My property is directly affected by this zoning change proposal. I'm opposed to it as I believe it will adversely affect my property value. I'm the original owner of this property and in 2001 when we had the house built we were told they would never build behind our house. I would like to keep it that way. Almost every day before dusk a herd of deer travel past our backyard. We enjoy watching them over our fence. The green belt was a big selling point for choosing this lot location. In addition, the Schertz parkway area is becoming too crowded. We do not need another 207 homes (207 families) along Schertz Parkway. It will take longer to get to IH 35 in the mornings. Schertz Parkway to 35 and 1518 to 35 in the morning will become parking lots during the morning commute. The extra traffic will add possibly another 20 minutes, maybe more, to the commute. The local schools will become overcrowded. As it is now I have to wait in a line that stretches half the length of Savannah drive to pick my child up from Paschal Elementary.

I vehemently oppose this zoning change.

George Shilobod  
3708 Florence Grove, Schertz, TX 78154

210-663-7336

## Megan Harrison

---

**From:** Kylyn Stark <kylynstark@gmail.com>  
**Sent:** Monday, April 12, 2021 8:24 PM  
**To:** planning@schertz.com  
**Subject:** Schertz Rezoning Plan

Kylyn and Dustin Stark

3740 Florence Grv. Schertz, TX 78154

(210)978-4110

Planning and zoning of Heritage Oaks Subdivision

We are opposed to the building of the new subdivision.

## NOTICE OF PUBLIC HEARING

April 2, 2021

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Sincerely,

Nick Kopyay  
Senior Planner

## Reply Form

I am: in favor of ☐ opposed to ☒ neutral to ☐ the request for ZC2020-005COMMENTS: STEPHEN J. CICHERSKI President, Board of DirectorsNAME: Ridge at Carolina Crossing Association  
(PLEASE PRINT) SIGNATURE [Signature]STREET ADDRESS: PROP ID 17975 Mailing: Ridge at Carolina Crossing  
P.O. Box 700428  
DATE: 8 April 2021 Dallas TX 75370

## NOTICE OF PUBLIC HEARING

April 2, 2021

Dear Property Owner,

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Sincerely,

Nick Kopyay  
Senior Planner

## Reply Form

I am: in favor of ☐ opposed to ☒ neutral to ☐ the request for ZC2020-005COMMENTS: STEPHEN J. LICHERSKI, President Board of DirectorsNAME: Ridge at CAROLINA CROSSING SIGNATURE:   
(PLEASE PRINT)STREET ADDRESS: PROP ID 17418 Mail: Ridge at CAROLINA CROSSING  
P.O. Box 700428DATE: 8 APRIL 2021 Dallas TX 75370



## NOTICE OF PUBLIC HEARING

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Sincerely,



Nick Kopyay  
Senior Planner

## Reply Form

I am: in favor of ☐ opposed to ☒ neutral to ☐ the request for **ZC2020-005**

COMMENTS: STEPHEN S. CILCHERSKI, President Board of Directors

NAME: Ridgely at CAROLINA CROSSING SIGNATURE [Handwritten Signature]  
(PLEASE PRINT)

STREET ADDRESS: PROP ID 17863 Mailing: Ridgely at CAROLINA CROSSING  
PO Box 700428

DATE: 8 APRIL 2021

Dallas TX 75370

## NOTICE OF PUBLIC HEARING

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Sincerely,

Nick Kopyay  
Senior Planner

## Reply Form

I am: in favor of ☐ opposed to ☒ neutral to ☐ the request for **ZC2020-005**COMMENTS: STEPHEN J. CICHERSKI, President Board of DirectorsNAME: RIDGE AT CAROLINA CROSSING

SIGNATURE



(PLEASE PRINT)

mailing: RIDGE AT CAROLINA CROSSINGSTREET ADDRESS: PARADISE 17917

P.O. BOX 700428

DATE: 8 APRIL 2021

Dallas TX 75370

## NOTICE OF PUBLIC HEARING

April 2, 2021

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Sincerely,



Nick Kopyay  
Senior Planner

## Reply Form

I am: in favor of ☐ opposed to ☒ neutral to ☐ the request for ZC2020-005

COMMENTS: STERHEN J. CICHERSKI, President Board of Ainection

NAME: Ridge at CAROLINA CROSSING ASSOCIATION SIGNATURE: [Handwritten Signature]  
(PLEASE PRINT) mailing

STREET ADDRESS: PROP ID 140147 Ridge at CAROLINA CROSSING  
P.O. BOX 700428

DATE: 8 APRIL 2021 Dallas TX 75370

## Megan Harrison

---

**From:** Karen Bellin <karen.bellin@hotmail.com>  
**Sent:** Tuesday, April 13, 2021 12:14 PM  
**To:** planning@schertz.com  
**Cc:** Ridge at Carolina Crossing  
**Subject:** Rejection of Planning Board's Proposed Rezoning

Dear Planning Board:

We, Karen Bellin and Robert W. Bellin, Jr., reside at 3600 Augusta Glade, Schertz, TX 78154, Ridge at Carolina Crossing. We strongly oppose the rezoning and development off Schertz Parkway behind our community for the following reasons:

1. Compromising the present flood control plan for the area. Removing the present natural ground covering will reduce the absorption of rain and increase the possibility of flooding downhill to our complex. Houston is an example of how removing too much of the natural grasslands increased the intensity and area of floodwaters.
2. The proposed development will reduce the habitat of birds, deer, wild life and trees, that made the area attractive in the first place. Homes were purchased with this natural environment guaranteed by zoning.
3. Traffic pressures on Schertz Parkway will increase, creating more of a big city than smaller town environment. This was also guaranteed by zoning.
4. Noise will increase in our quiet, somewhat remote neighborhood we purchased because Schertz had zoning in place to maintain the pristine and tranquil environment.

We plan to Zoom into the meeting , and would like our opinion to be taken into consideration as if we were there in person.

Sincerely

Robert W. Bellin, Jr., M.Div., Th.M.,  
Chaplain, U.S. Government, Retired  
Princeton Theological Seminary  
Oral Roberts University

Karen L. Bellin, M.Div., Th.M.  
Chaplain (Captain), U.S. Army, Retired  
Princeton Theological Seminary  
Loyola University in Maryland  
(210) 659-7843 (Home)  
(210) 540-6969 (Cell)  
karenbellinbooks.com



## NOTICE OF PUBLIC HEARING

April 2, 2021

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Sincerely,

Nick Kopyay  
Senior Planner

## Reply Form

I am: in favor of ☒ opposed to ☐ neutral to ☐ the request for ZC2020-005

COMMENTS: \_\_\_\_\_

NAME: Antonio E. Vazquez  
(PLEASE PRINT)SIGNATURE STREET ADDRESS: 18618 TUSCANY STONE, #202 SAN ANTONIO TX 78258DATE: 4/11/21

## NOTICE OF PUBLIC HEARING

Apr 18 owned by

De: Schaefer

The

p.m.

con

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Sincerely,

*Nick Koplyay*Nick Koplyay  
Senior Planner

## Reply Form

I am: in favor of ☒ opposed to ☐ neutral to ☐ the request for ZC2020-005COMMENTS: *This area is an entry to Schertz and it is a dumping ground. This change in zoning will greatly improve the area. It is one of the prettiest areas in the city of Schertz.*NAME: *Jane Schaefer* SIGNATURE *Jane Schaefer*  
(PLEASE PRINT)STREET ADDRESS: *5055 Canton Ave. San Antonio, TX 78209*DATE: *4/12/21**I am in full support!*

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Sincerely,

Nick Kopyay  
Senior Planner

## Reply Form

I am: in favor of ☐ opposed to ☒ neutral to ☐ the request for ZC2020-005COMMENTS: Too small back yard when compared to ours (setback too close)NAME: DUSTIN STARK SIGNATURE Dustin Stark  
(PLEASE PRINT)STREET ADDRESS: 3740 FLORENCE GROVE, SCHERTZ TX 78154DATE: 14 APR 2021

**CITY COUNCIL MEMORANDUM**

**City Council Meeting:** May 4, 2021  
**Department:** City Secretary  
**Subject:** COVID-19 UPDATE - Bi-Weekly COVID-19 Update.(C. Kelm/  
K.Long/S.Hall)

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**BACKGROUND**

Emergency Management Coordinator Summer Hall has provided the COVID-19 Update as requested by City Council.

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**Attachments**

COVID update

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# COVID-19 Update

**Summer Hall  
Emergency Management Coordinator**

**April 30, 2021**

# Vaccination Update

## Upcoming Vaccination Clinics

- Civic Center Clinics:
  - May 4th, 6th, & 8th: 1st & 2nd Dose Pfizer Clinics
  - May 12<sup>th</sup> – 14<sup>th</sup>: 2<sup>nd</sup> Dose Pfizer & Moderna Clinics
- On-Site Clinics:
  - May 5th: Primrose
  - May 7th:
    - Cadillac Auto Products
    - Scenic Hills
    - Ace Mart Restaurant Supply

# Vaccination Update

DSHS Vaccine Dashboard Link: [Workbook: COVID-19 Vaccine in Texas \(Dashboard\)](#)

County: **Guadalupe**

Public Health Region: **8**

Percentage of Population 16+ Vaccinated with At Least One Dose: **40.40%**

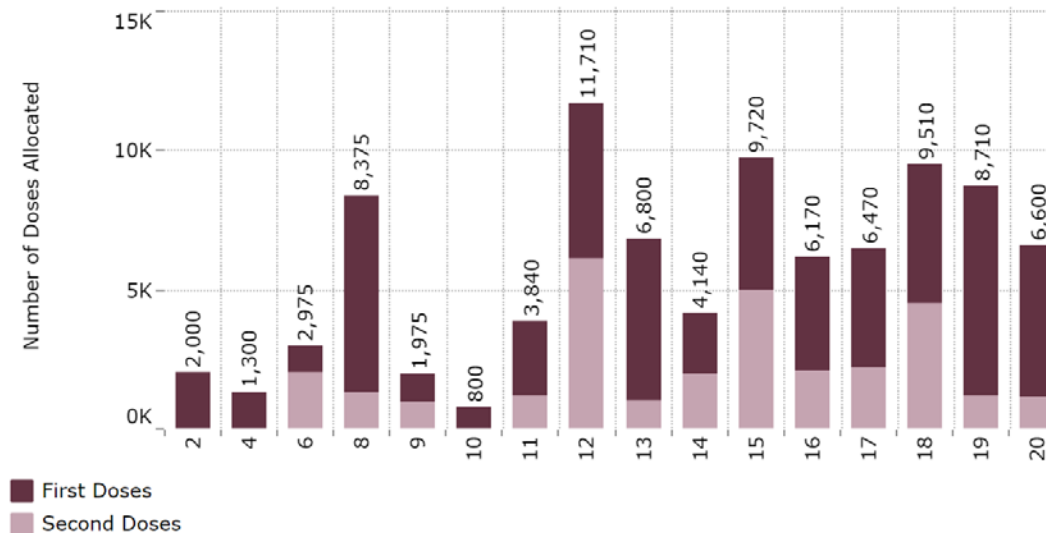
Percentage of Population 16+ Fully Vaccinated: **29.84%**

Percentage of Population 65+ Vaccinated with At Least One Dose: **64.67%**

Percentage of Population 65+ Fully Vaccinated: **54.15%**

*As of 4/29/2021 1:45 pm*

**GUADALUPE COUNTY VACCINE ALLOCATION**



*X-Axis represents the allocation week number. 19 = Week of 4/19*

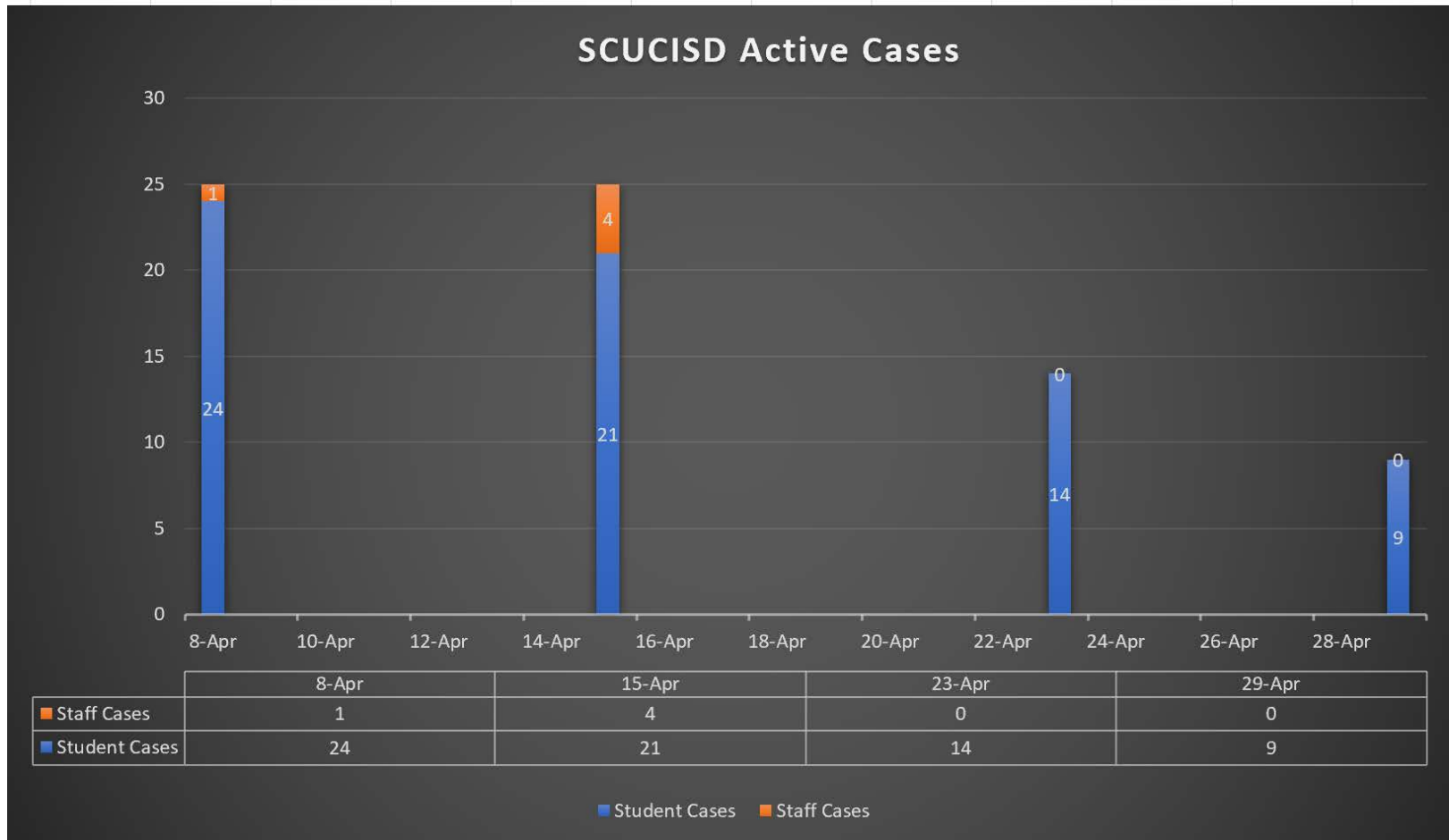
# Current Numbers

Guadalupe Co.	Comal Co.	Bexar Co.
Confirmed Cases: 10,889	Confirmed Cases: 5,445	Confirmed Cases: 179,601
Probable Cases: 3,666	Probable Cases: 4,802	Probable Cases: 37,277
Fatalities: 209	Fatalities: 292	Fatalities: 3,472
<b>Active Cases: 150</b>	<b>Active Cases: 267</b>	<b>Active Cases: 5,005</b>
Recovered Cases: 14,174	Recovered Cases: 9,687	Recovered Cases: 208,401

*Data obtained from DSHS Dashboard: Updated 4/29/2021 12:30 pm*



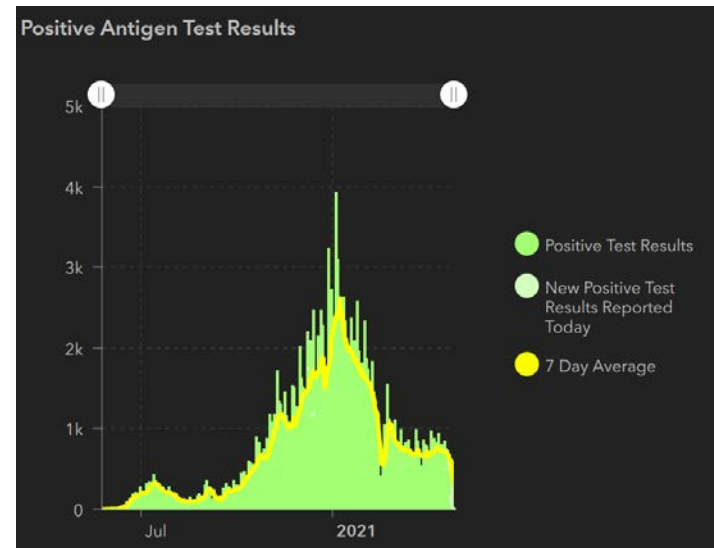
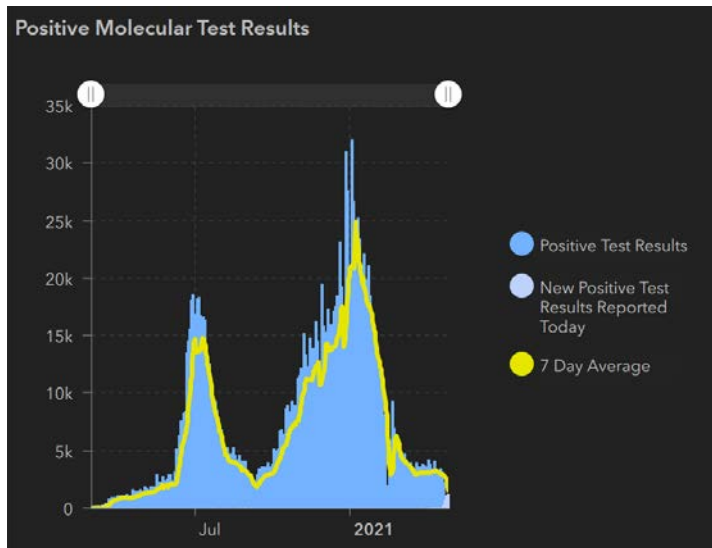
# SCUCISD Active Case Count



# Testing Positivity Rates

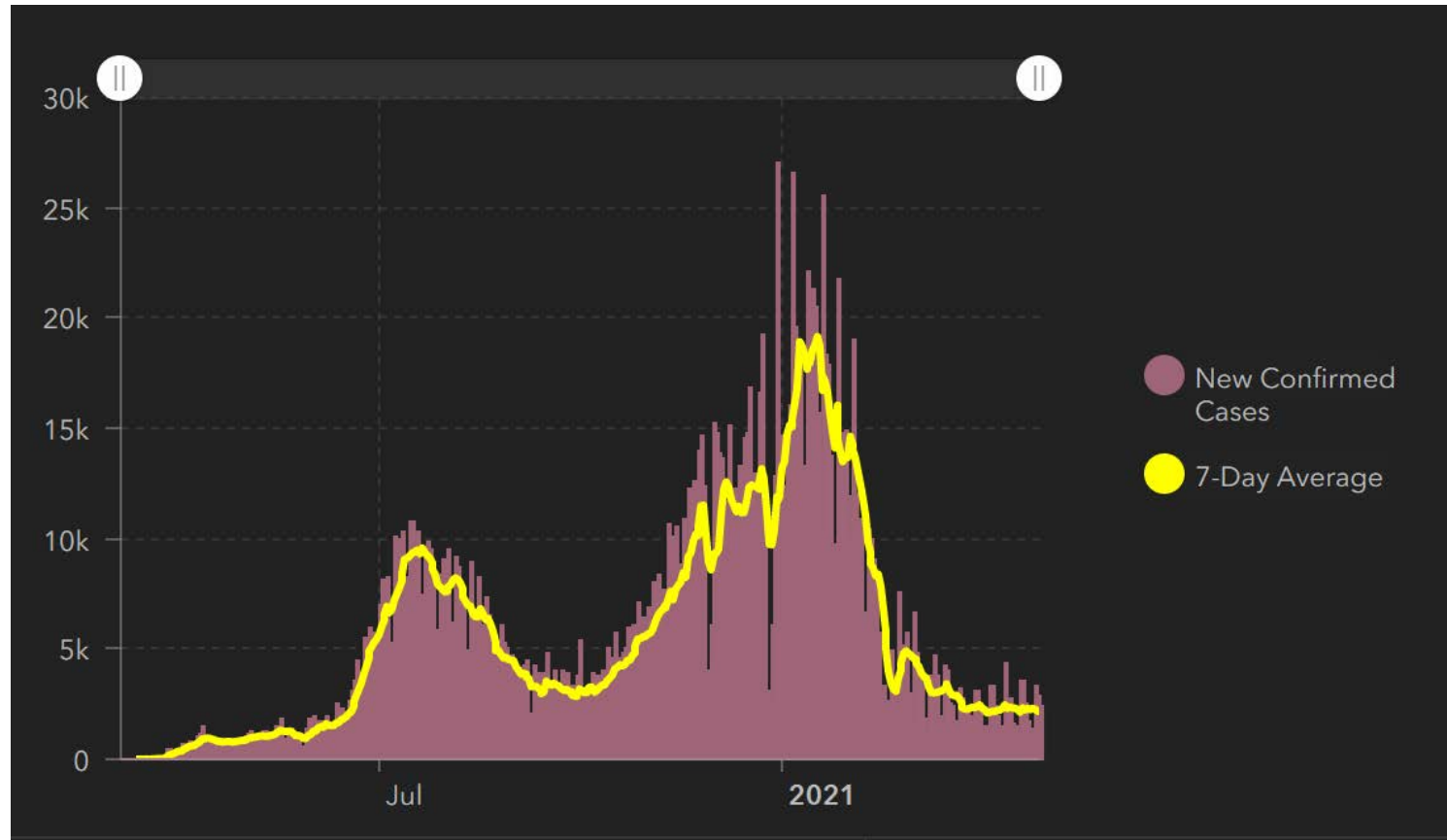
State of Texas

5.4% - Molecular  
3.74% - Antigen



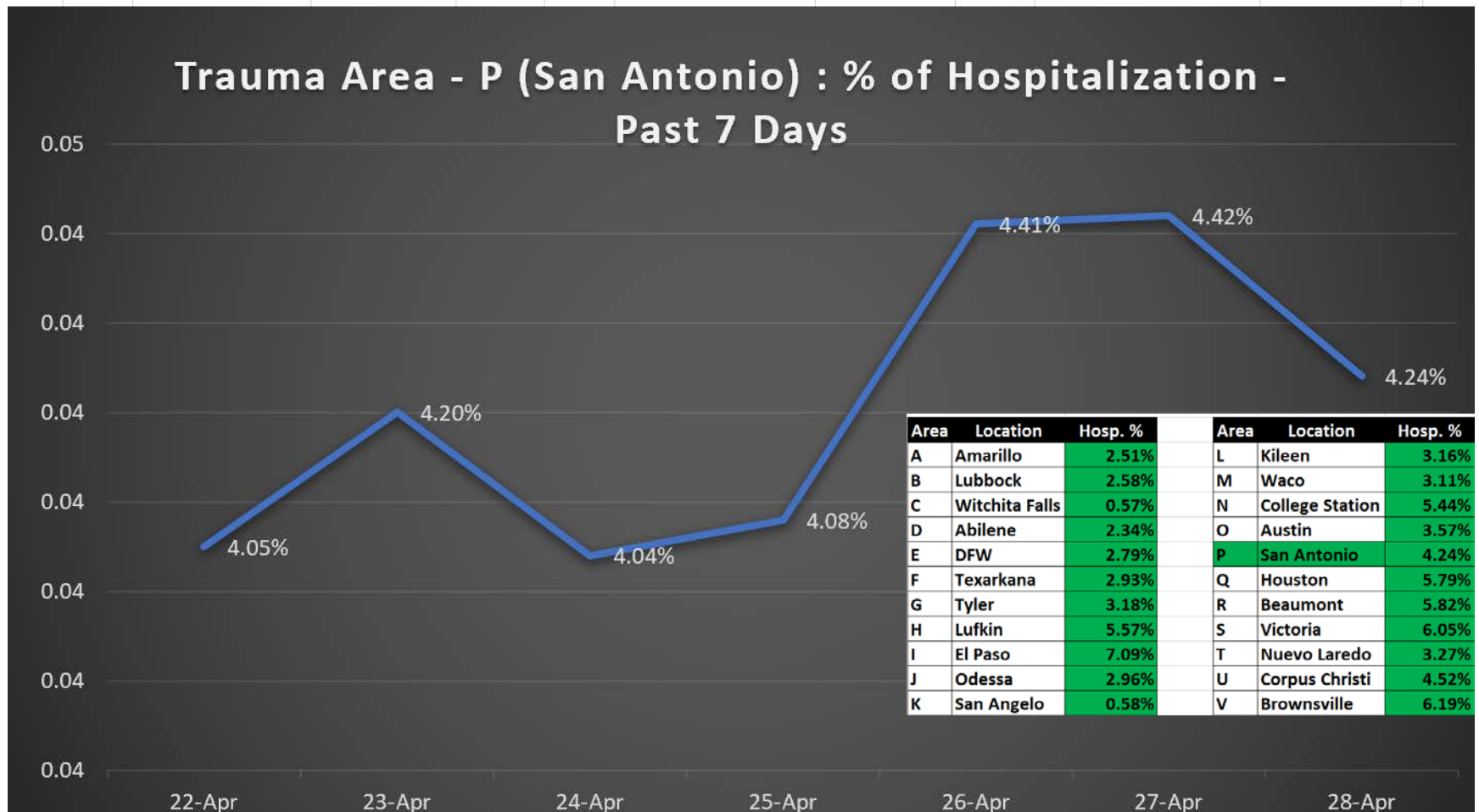
Data obtained from DSHS Dashboard: Updated 4/29/2021 12:30 pm

# Daily New Cases - State



Data obtained from DSHS Dashboard: Updated 4/29/2021 12:30 pm

# Hospitalization Rates



Data obtained from DSHS Dashboard: Updated 4/29/2021 12:30 pm



# Hospitalizations – Bexar County

DATE	Patients	Patients in ICU	Patients on Ventilation
4/8/2021	199	84	26
4/15/2021	200	71	33
4/22/2021	238	83	38
4/29/2021	252	72	48