



**MEETING AGENDA
SCHERTZ BOARD OF ADJUSTMENT
November 7, 2022**

**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

MONDAY, NOVEMBER 7, 2022 at 6:00 p.m.

The Board of Adjustment will hold this meeting at 6:00p.m., Monday, November 7, 2022, at the City Council Chambers. In lieu of attending the meeting in person, residents will have the opportunity to watch the meeting via live stream on the City's YouTube Channel.

1. CALL TO ORDER / ROLL CALL

2. SEAT ALTERNATE TO ACT IF REQUIRED

3. HEARING OF RESIDENTS

Residents who choose to watch the meeting via live stream, but who would like to participate in Hearing of Residents, should email their comments to the Planning Division, at planning@schertz.com by 5:00p.m. on Monday, November 7, 2022, so that the Planning Division 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 number if applicable or subject of discussion, and your comments.

This time is set aside for any person who wishes to address the Board of Adjustment. Each person should fill out the Speaker's register prior to the meeting. Presentations should be limited to no more than three (3) minutes. Discussion by the Board of any item not on the agenda shall be limited to statements of specific factual information given in response to any inquiry, a recitation of existing policy in response to an inquiry, and/or a proposal to place the item on a future agenda. The presiding officer, during the Hearing of Residents portion of the agenda, will call on those persons who have signed up to speak in the order they have registered.

4. CONSENT AGENDA:

A. Minutes for the January 31, 2022 Regular Meeting.

5. PUBLIC HEARING:

The Board of Adjustment will hold a public hearing related to variance requests within this agenda. The public hearing will be opened to receive a report from staff, the applicant, the adjoining property owners affected by the applicant's request, and any other interested persons. Upon completion, the public hearing will be closed. The Board will discuss and consider the application, and may request additional information from staff or the applicant, if required. After deliberation, the Board will act on the applicant's request.

- A. PLVAR20220141 Hold a public hearing, consider and act upon a request for a variance to Unified Development Code Article 5 Section 21.5.7 Dimensional and Developmental Standards, specifically for Single Family Residential (R-6) zoning district in order to permit a building expansion (enclosed covered patio) into the required twenty-foot (20') rear setback, located at 2397 Mistywood Lane, City of Schertz, Guadalupe County, Texas. *(Public Hearing to Occur / No Action will be taken due to notice error)*
- B. PLVAR20220155- Hold a public hearing, consider and act upon a request for a variance to Unified Development Code Article 9, Section 21.9.8 Screening and Fencing, specifically subsection 21.9.8.B.3 in order to not require an eight foot (8') masonry screening wall between nonresidential and single family zoned properties, located at 1065 Live Oak Road, City of Schertz, Guadalupe County, Texas.

6. **ANNOUNCEMENTS:**

A. Announcements by Members

- City and community events attended and to be attended
- Continuing education events attended and to be attended

B. Announcements by City Staff

- City and community events attended and to be attended
- Continuing education events attended and to be attended
- Committee of Committees Advisory Board Meeting Summaries

7. **ADJOURNMENT OF THE REGULAR MEETING**

CERTIFICATION

I, Emily Delgado, Planning Manager, of the City of Schertz, Texas, do hereby certify that the above agenda was posted on the official bulletin boards on this the 4th day of November, 2022 at 5:00 p.m., which is a place readily accessible to the public at all times and that said notice was posted in accordance with chapter 551, Texas Government Code.

Emily Delgado

Emily Delgado, Planning Manager

I certify that the attached notice and agenda of items to be considered by the Schertz Board of Adjustment was removed from the official bulletin board on _____ day of _____, 2022. _____ title: _____

This facility is accessible in accordance with the Americans with Disabilities Act. Handicapped parking spaces are available. If you require special assistance or have a request for sign interpretative services or other services please call 619-1030 at least 24 hours in advance of meeting.

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

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

BOARD OF ADJUSTMENT MEETING: 11/07/2022
Agenda Item 4 A

TO: Board of Adjustment
PREPARED BY: Sam Haas, Planner
SUBJECT: Minutes for the January 31, 2022 Regular Meeting.

Attachments

Draft Minutes for the January 31, 2022 Board of Adjustment Meeting

DRAFT

BOARD OF ADJUSTMENT MINUTES

January 31, 2022

The Schertz Board of Adjustment convened on January 31, 2022 at 6:00 p.m. at the Municipal Complex, Council Chambers, 1400 Schertz Parkway Building #4, Schertz, Texas.

Present: Richard Dziewit, Chair
Earl Hartzog, Board Member
Frank McElroy, Board Member
Yvonne Griffen, Board Member

Absent: Reginna Agee, Board Member
Danielene Salas, Board Member

City Staff: Brian James, Assistant City Manager
Lesia Wood, Director of Planning & Community Development
Megan Harrison, Planner
Daniel Santee, City Attorney
Tiffany Danhof, Administrative Assistant

1. CALL TO ORDER / ROLL CALL

Mr. Dziewit Called the meeting to order at 6:01 P.M.

2. SEAT ALTERNATE TO ACT IF REQUIRED

Mrs. Griffin was seated as the alternate.

3. HEARING OF RESIDENTS

Residents who choose to watch the meeting via live stream, but who would like to participate in Hearing of Residents, should email their comments to the Planning Division, at planning@schertz.com by 5:00p.m. on Monday, January 31, 2022, so that the Planning Division 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 number if applicable or subject of discussion, and your comments.

This time is set aside for any person who wishes to address the Board of Adjustment. Each person should fill out the Speaker's register prior to the meeting. Presentations should be limited to no more than three (3) minutes. Discussion by the Board of any item not on the agenda shall be limited to statements of specific factual information given in response to any inquiry, a recitation of existing policy in response to an inquiry, and/or a proposal to place the item on a future agenda. The presiding officer, during the Hearing of Residents portion of the agenda, will call on those persons who have signed up to speak in the order they have registered.

4. PRESENTATION AND DISCUSSION:

A. Presentation and Discussion on the Board of Adjustment Laws, Rules, and Regulations

Daniel Santee provided a presentation.

5. CONSENT AGENDA:

A. Minutes for the July 27, 2020, Regular Meeting.

Motioned by Board Member Frank McElroy, seconded by Board Member Earl Hartzog to approve

Vote: 4 - 0 Passed

6. PUBLIC HEARING:

The Board of Adjustment will hold a public hearing related to variance requests within this agenda. The public hearing will be opened to receive a report from staff, the applicant, the adjoining property owners affected by the applicant's request, and any other interested persons. Upon completion, the public hearing will be closed. The Board will discuss and consider the application, and may request additional information from staff or the applicant, if required. After deliberation, the Board will act on the applicant's request.

A. BOA2021-001 Hold a public hearing, consider and act upon a request for a variance to the Unified Development Code Article 11, Signs and Advertising, in order to permit a second multi-tenant sign, increased maximum wall sign area, increased number of wall signs for two proposed signs, removal of the requirement for masonry on multi-tenant signs, and to remove the requirement that all text or graphic elements be limited to 6 inches from outer limits, located at 3701 FM 3009, City of Schertz, Guadalupe County, Texas.

Mrs. Harrison and the applicant gave a presentation.

Mr. Dziewit opened the public hearing at 6:41 P.M.

Margie Crenshaw- 3708 William Scarebrough

Mr. Dziewit closed the public hearing at 6:43 P.M.

There was a discussion on:

- Clarification on staff's recommendation
- Masonry requirements
- Sign size requirements
- Roadway sign/electronic requirements
- Reviewing/modifications on Sign ordinance

Motioned by Board Member Frank McElroy, seconded by Board Member Yvonne Griffen to approve UDC Sec.21.11.9.C 4 wall signs

Vote: 4 - 0 Passed

Motioned by Board Member Frank McElroy, seconded by Board Member Earl Hartzog to approve UDC Sec.21.11.9.C 2 wall signs on one wall

Vote: 4 - 0 Passed

Motioned by Board Member Earl Hartzog, seconded by Board Member Frank McElroy to disapprove UDC Sec.21.11.12.D 2 multi-tenant signs

Vote: 2 - 2 Failed

NAY: Chair Richard Dziewit
Board Member Yvonne Griffen

Motioned by Board Member Yvonne Griffen, seconded by Chair Richard Dziewit to approve UDC Sec.21.11.12.D 2 multi-tenant signs

Vote: 2 - 2 Failed

NAY: Board Member Earl Hartzog
Board Member Frank McElroy

Motioned by Board Member Yvonne Griffen, seconded by Board Member Earl Hartzog to approve UDC Sec.21.11.12.D 2 multi-tenant signs

Vote: 2 - 2 Failed

NAY: Board Member Earl Hartzog
Board Member Frank McElroy

Motioned by Board Member Frank McElroy, seconded by Board Member Yvonne Griffen to approve UDC Sec.21.11.12.C, UDC Sec.21.11.12.G, and UDC Sec.21.11.12.G

Vote: 4 - 0 Passed

- B.** BOA2021-002 Hold a hearing, consider and act upon a request for a variance to Unified Development Code Article 5, Section 21.5.7 Dimensional and Development Standards, Single-Family Residential District-6 (R-6) in order to reduce the front yard setback from twenty-five feet (25') to twenty feet (20'), reduce the side yard setback from ten feet (10') to five feet (5') and reduce the rear yard setback from twenty feet (20') to zero feet (0'), located at 3709 Hillside, City of Schertz, Guadalupe County, Texas.

Mrs. Harrison and the applicant gave a presentation.

Mr. Dziewit opened the public hearing at 7:34 P.M.

Pia Caruso- 3705 Hillside

Mr. Dziewit closed the public hearing at 7:43 P.M.

There was a discussion on:

- Clarification of the re-plat, parcel, zoning, and annexation of the property
- Square feet of proposed new home

Motioned by Board Member Frank McElroy, seconded by Board Member Yvonne Griffen to approve

Vote: 3 - 1 Passed

NAY: Board Member Earl Hartzog

- C.** BOA2022-001 Hold a public hearing, consider and act upon a request for a variance to Unified Development Code Article 5, Section 21.5.7 Dimensional and Development Standards, General Business District (GB) in order to reduce the front setback from fifty feet (50') to twelve feet (12'), and to Unified Development Code Article 14, Section 21.14.3.C to eliminate the twenty-foot (20') landscape buffer requirement adjacent to public right-of-way, located at 16842 IH-35, City of Schertz, Guadalupe County, Texas.

Mrs. Harrison and the applicant gave a presentation.

Mr. Dziewit opened the public hearing at 8:03 P.M.

No one spoke.

Mr. Dziewit closed the public hearing at 8:04 P.M.

There was a discussion on:

- Clarification on immanent domain of current structure on the property

Motioned by Board Member Frank McElroy, seconded by Board Member Yvonne Griffen to approve

Vote: 3 - 1 Passed

NAY: Board Member Earl Hartzog

7. ANNOUNCEMENTS:

A. Announcements by Members

- City and community events attended and to be attended
- Continuing education events attended and to be attended

There were announcements by Members.

B. Announcements by City Staff

- City and community events attended and to be attended
- Continuing education events attended and to be attended

There were no announcements by City Staff.

8. ADJOURNMENT OF THE REGULAR MEETING

Mr. Dziewit adjourned the regular meeting at 8:00 P.M.

Chairman, Board of Adjustment

Recording Secretary, City of Schertz

BOARD OF ADJUSTMENT MEETING: 11/07/2022
Agenda Item 5 A

TO: Board of Adjustment
PREPARED BY: Emily Delgado, Planning Manager
SUBJECT: PLVAR20220141 Hold a public hearing, consider and act upon a request for a variance to Unified Development Code Article 5 Section 21.5.7 Dimensional and Developmental Standards, specifically for Single Family Residential (R-6) zoning district in order to permit a building expansion (enclosed covered patio) into the required twenty-foot (20') rear setback, located at 2397 Mistywood Lane, City of Schertz, Guadalupe County, Texas. *(Public Hearing to Occur / No Action will be taken due to notice error)*

BACKGROUND

The public hearing notice was published in the "San Antonio Express" on October 19th, 2022. There were 36 notices mailed to surrounding property owners on October 14th, 2022. At the time of this staff report, staff has received 1 in favor and 2 opposed.

As stated in the subject, the notice was published for a variance request for 2397 Mistywood Lane. However, this was a staff error, the actual property address requesting the variance is 2937 Mistywood Lane. The property owner of 2937 Mistywood Lane has requested a variance to Unified Development Code Article 5 Section 21.5.7 Dimensional and Developmental Standards in order to permit a building expansion (enclosed covered patio) into the required twenty-foot (20') rear setback. However, due to the address error by staff within the legal notice, no action can occur on this item.

This variance case will have new public hearing notices published in the San Antonio Express News and new public hearing notices mailed to all property owners within 200 feet with the corrected property information. This variance case is scheduled to be heard on Tuesday, November 29, 2022.

Included within this staff report is the variance request information provided by the applicant. This information and a full staff report will be provided within the agenda for the November 29, 2022 Board of Adjustment meeting.

Attachments

Aerial Exhibit
Public Hearing Notice Map
Variance Application and Supporting Documentation
Public Hearing Responses





CITY OF SCHERTZ VARIANCE CHECKLIST

APPLICATION COMPLETENESS REQUIREMENTS:

- ☐ Fees including breakdown of calculations on a separate sheet
- ☐ Development Application signed by owner and notarized
- ☐ This checklist (signed by applicant/representative)
- ☐ One (1) set of plans (11" x 8 1/2") prepared in accordance with the checklist
- ☐ One (1) compact disc of all exhibits/applications electronically scanned (pdf and jpg)

****Do not leave any items unchecked****

Applicant	Staff	Not Applicable	TECHNICAL REQUIREMENTS		General Variance	Sign Variance
✓			1	A survey of the subject property showing property dimensions, building locations, setback dimensions, and other applicable information.	✓	
✓			2	Photos or additional information deemed appropriate for justification.	✓	
✓			3	If homeowner's association is in effect, provide an affidavit from an authorized representative of the association certifying that the association has approved the requested variance.	✓	
✓			4	Such other information as the City Planning Department or the Board of Adjustment Members may require to determine full compliance with the UDC and other applicable ordinances of the City.	✓	✓
✓			5	Description of the requested variance and hardship.	✓	✓
✓			6	Justification for the requested variance.	✓	✓
			7	Site Plan and elevation drawing of the proposed sign, dimensions, materials, colors, caption of the proposed sign, and such other data (such as lighting) as are pertinent to the application. Pictures and other back up documentation may be requested.		✓
			8	Provide the following information: type of proposed sign (monument, free-standing, building, directory, etc.), dimensions of building face elevation (height and length), square feet of each sign requested.		✓
			9	Show detail if illuminated, or add a statement indicating no illumination will be used.		✓
			10	Legend for abbreviations or symbols used.		✓

#4, our home association approved previously the construction of a pool and we instead choose for a 4 searion room.

Board of Adjustment may grant variances or modifications of height, yard, area, coverage, parking regulations, accessory building and non-conforming use subject to making a finding of hardship that the variance meets all four of the following criteria. State how your request meets these conditions.

Description of variance request:

This is an extension of our cover patio, which will become an enclosed room (4season room)
Requesting a variance from UDC section 21.5.7 Dimensional and Developmental
Standards for R-6 Zoning Districts in which the rear setback requirements are 20ft.

1. Does the requested variance violate the intent of the Unified Development Code or deprive the applicant of right commonly enjoyed by other properties in the same zoning district that comply with the same provisions?

☒ Yes ☐ No

Explain: We have plenty of our neighbors that already installed pools or porch extensions in their back garden, the majority of the houses in our area are about the same size and more
likely they got approvals regarding the variant in order to build these structures. We would like to install these room which helps greatly during the heat and cold season,
this room will be not use as business at any time, it is just to help us take care of some our plants and enjoy our garden

2. Do special conditions or restricted area, shape, topography, or physical features exist that are irregular to the subject parcel of land and not applicable to other parcels of land in the same zoning districts? ☐ Yes ☒ No

Explain: No, our neighbors already have permanent structures already being builded in their
backyards.

3. Is the hardship the result of the applicant's own actions or intended for financial interest? ☐ Yes ☒ No

Explain: This addition to the house will not be use to promote any personal business. This addition
will only be use to keep tropical plants inside and for us to enjoy our garden.

4. Would granting this variance be detrimental to the public welfare or injurious to the value of property in the vicinity? ☐ Yes ☒ No

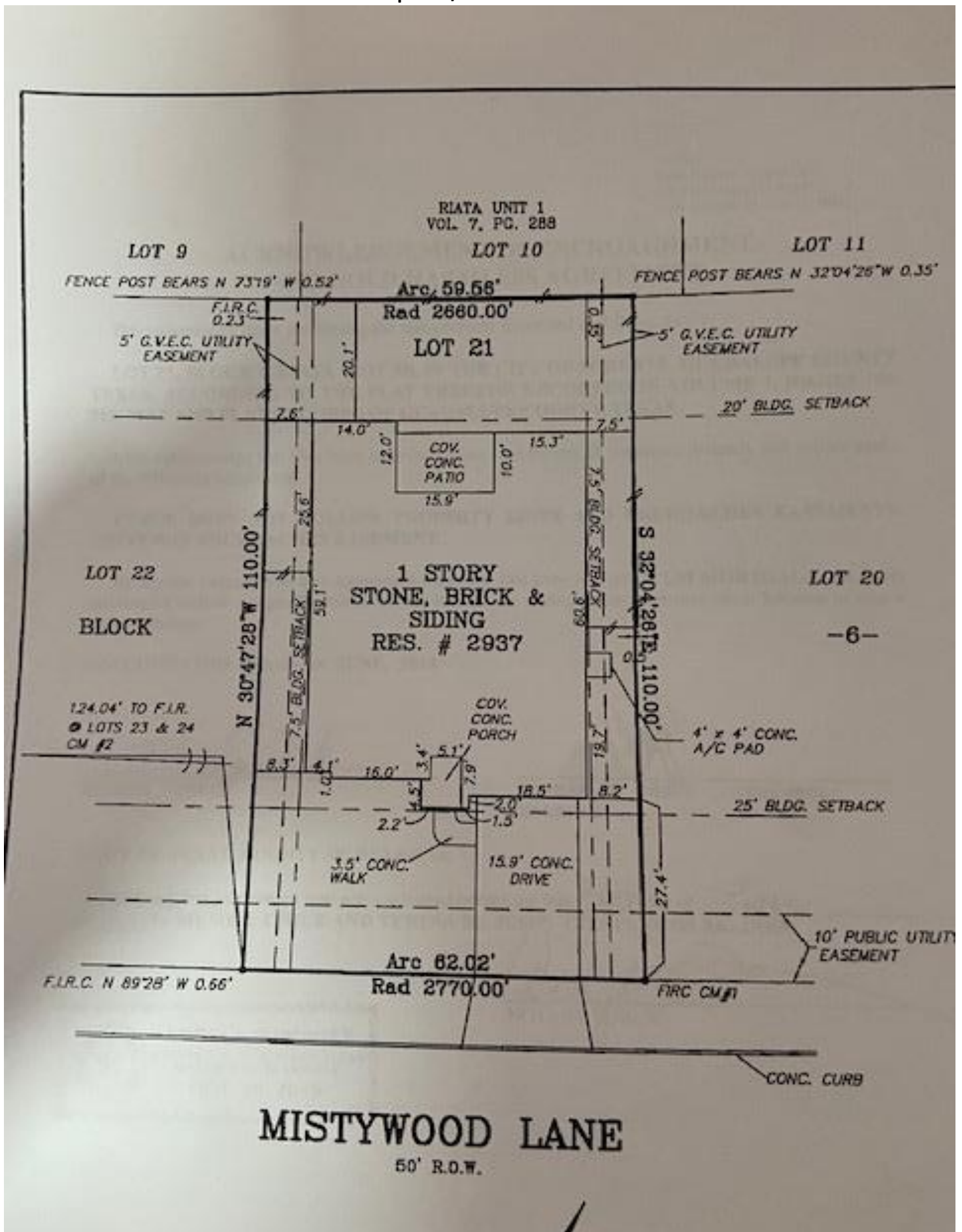
Explain: This addition will be a huge plus for the property and will not be a public welfare or affect
the vicinity.

Preparer's Signature: Silmer Chile

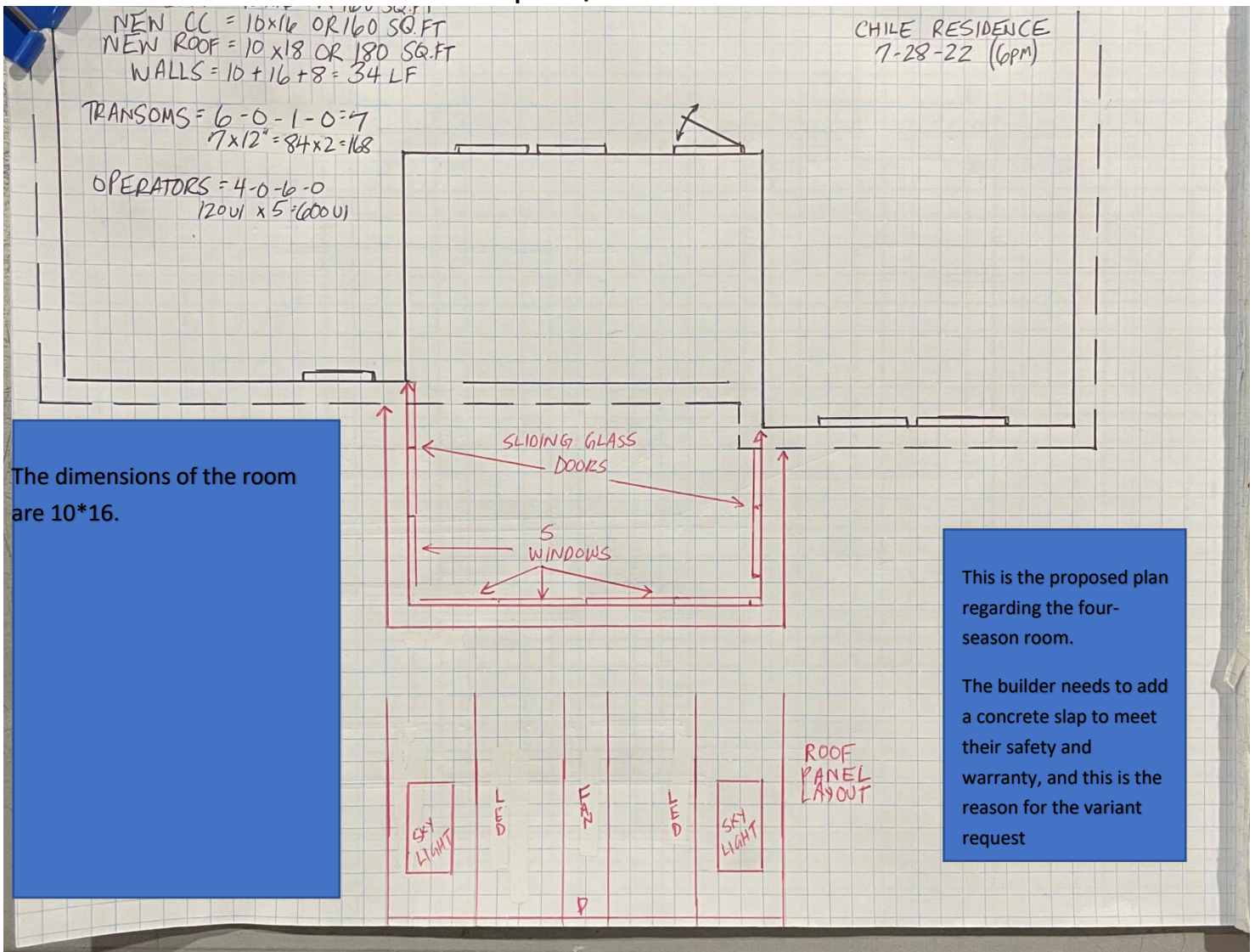
Printed Name: SILMER CHILE

Date prepared: 10/3/2022

LOT plan/dimensions



LOT plan/dimensions



Four season plan

NOTICE OF PUBLIC HEARING

October 18, 2022

To whom it may concern,

The City of Schertz Board of Adjustment will conduct a public hearing on **Monday, November 7, 2022 at 6:00 p.m.** located at the Municipal Complex Council Chambers, 1400 Schertz Parkway, Building #4, Schertz, Texas to consider and act upon the following item:

PLVAR20220141- A request for a variance to Unified Development Code Article 5 Section 21.5.7 Dimensional and Developmental Standards, specifically for Single Family Residential (R-6) zoning district in order to permit a building expansion (enclosed covered patio) into the required twenty-foot (20') rear setback, located at 2397 Mistywood Lane, City of Schertz, Guadalupe County, Texas.

Because you own property within 200 feet of the subject property, the Board of Adjustment would like to hear how you feel about this request and invites you to attend the public hearing. If you would like to express how you feel, please complete the bottom portion of this letter and return before the public hearing date by mail or personal delivery to Samuel Haas, Planner, 1400 Schertz Parkway, Schertz, Texas 78154, or by e-mail shaas@schertz.com. If you have any questions please feel free to call Samuel Haas, Planner directly at (210) 619-1783.

Sincerely,

Samuel Haas
Planner

Reply Form

I am: in favor of ☒ opposed to ☐ neutral to ☐ the request for **PLVAR20220141**

COMMENTS: Sounds like a cool addition to home

NAME: Joseph M. Broeckelmann SIGNATURE Joseph M. Broeckelmann
(PLEASE PRINT)

STREET ADDRESS: 2940 Mistywood Lane, Schertz, TX 78108

DATE: 10-23-22

NOTICE OF PUBLIC HEARING

October 18, 2022

To whom it may concern,

The City of Schertz Board of Adjustment will conduct a public hearing on **Monday, November 7, 2022 at 6:00 p.m.** located at the Municipal Complex Council Chambers, 1400 Schertz Parkway, Building #4, Schertz, Texas to consider and act upon the following item:

PLVAR20220141- A request for a variance to Unified Development Code Article 5 Section 21.5.7 Dimensional and Developmental Standards, specifically for Single Family Residential (R-6) zoning district in order to permit a building expansion (enclosed covered patio) into the required twenty-foot (20') rear setback, located at 2397 Mistywood Lane, City of Schertz, Guadalupe County, Texas.

Because you own property within 200 feet of the subject property, the Board of Adjustment would like to hear how you feel about this request and invites you to attend the public hearing. If you would like to express how you feel, please complete the bottom portion of this letter and return before the public hearing date by mail or personal delivery to Samuel Haas, Planner, 1400 Schertz Parkway, Schertz, Texas 78154, or by e-mail shaas@schertz.com. If you have any questions please feel free to call Samuel Haas, Planner directly at (210) 619-1783.

Sincerely,

Samuel Haas
Planner

Reply Form

I am: in favor of ☐ opposed to ☒ neutral to ☐ the request for **PLVAR20220141**COMMENTS: It's against the setback regulations.NAME: Adam & Lindsay Seaver SIGNATURE [Signature]
(PLEASE PRINT)STREET ADDRESS: 2940 Red Tip (rental) Home 2540 M. Leutz Park
NOTE 78132DATE: 10/23/2022

Reply Form

I am: in favor of ☐ opposed to ☒ neutral to ☐ the request for **PLVAR20220141**

COMMENTS: _____

NAME: Andrea Howard SIGNATURE A Howard
(PLEASE PRINT)

STREET ADDRESS: 2920 Mistywood Ln

DATE: 26 Oct 2022

BOARD OF ADJUSTMENT MEETING: 11/07/2022
Agenda Item 5 B

TO: Board of Adjustment
PREPARED BY: Emily Delgado, Planning Manager
CASE: PLVAR20220155
SUBJECT: PLVAR20220155- Hold a public hearing, consider and act upon a request for a variance to Unified Development Code Article 9, Section 21.9.8 Screening and Fencing, specifically subsection 21.9.8.B.3 in order to not require an eight foot (8') masonry screening wall between nonresidential and single family zoned properties, located at 1065 Live Oak Road, City of Schertz, Guadalupe County, Texas.

GENERAL INFORMATION:

Owner: Church of the Good Shepherd, Flores P F Archbishop
Applicant: Harry Bennett

REQUEST

The Church of the Good Shepherd, located at 1065 Live Oak Road is requesting a variance to UDC Article 9, Section 21.9.8 Screening and Fencing, specifically subsection 21.9.8.B.3 in order to not install an eight foot (8') masonry screening wall between nonresidential and single family zoned properties.

PUBLIC NOTICE:

The public hearing notice was published in the "San Antonio Express" on October 19, 2022. There were eighteen (18) notices mailed to surrounding property owners on October 18, 2022. At the time of this staff report, staff has received one (1) response in relation to the request, but the response did not indicate in favor, opposed, or neutral to the request.

ITEM SUMMARY:

The subject property, 1065 Live Oak Road, is not only utilized for the Church of the Good Shepherd for congregation, but is also utilized for their other outreach and ministry programs such as the "St. Vincent de Paul", which provides a food pantry along with financial aid and consulting services and operates every Monday from 10:00am to 12:00pm. The Church of the Good Shepherd is currently utilizing the existing metal building at the rear of the property for the food pantry service.

Per the applicants request letter, due to the growing needs of the community, the Church of the Good Shepherd has submitted a site plan certification application in order to construct a building expansion in order to create needed office space for the food pantry ministry. The proposal includes a driveway from the existing parking lot to the existing metal building in the rear of the property. The existing metal building is proposed to have an expansion along with the creation of 8 parking spaces.

Due to the proposed expansion being greater than 25% of the existing structure, the site plan process was required. As part of the site plan review, it was determined that per UDC Article 9, Section 21.9.8 Screening and Fencing, specifically subsection 21.9.8.B.3 which requires the construction of an 8 foot tall masonry screening wall between non-residential and residential properties would be required. In reviewing the site plan, staff utilized limits of construction rather than looking at the full Church property, as the proposed modifications were limited to the northwest corner of the property. In doing so, the proposed building expansion would require the construction of 190 feet of 8 foot tall masonry screening wall in addition to the required landscaping. In addition to the masonry wall, the project would be required to install a 20 foot wide landscape buffer with 1 shade tree for every 30 linear feet and 10 shrubs for every 50 linear feet.

Per the submitted site plan and associated landscape plan, the Church of the Good Shepherd is proposing to have a wood privacy fence along with a 20-foot wide landscape buffer to include 14 trees (4 of which are existing) and 51 shrubs. The landscaping is providing an additional 7 trees over what would typically be required an additional 13 shrubs over what would typically be required. The property owner and applicant are proposing this fence and the additional landscaping as a means to provide the sound and light barrier that would be provided by the masonry wall if it were installed.

SUBJECT PROPERTY GENERAL LOCATION, LAND USE AND ZONING:

The property is located 1065 Live Oak Road, more specifically Lot 1, Block 1 of the Good Shepherd Catholic Church Subdivision.

Existing Zoning	Land Use
Public Use District (PUB)	Church

Adjacent Properties:

	Zoning	Land Use
North	Single Family Residential (R-1)	Residential
South	Right of Way	Live Oak Road
East	General Business (GB)	Undeveloped / Commercial
West	Public Use District (PUB)	City of Schertz Water

CRITERIA FOR REVIEW

According to Unified Development Code (UDC), Article 3, Section 21.3.4.B, in order to make a finding of hardship and grant a variance from the zoning regulations of the UDC, the Board must determine the following:

1. The requested variance does not violate the intent of the UDC or its amendments;

The purpose of UDC Article 9 Section 21.9.8.B.3 is to provide a sound and light barrier between non-residential and residentially zoned properties by requiring the 8-foot tall masonry wall. The overall intent of the UDC is intended to enhance property values, maintain aesthetic attractiveness, and promote commercial opportunity in the City. Although the proposed variance request if approved would not require the construction of the masonry wall, the wood fence and increased landscaping that is being proposed with the development will provide screening and buffering for the adjacent residentially zoned property. Additionally, since they are only proposing development on a small portion of the Church property only 190 feet of the back property line would be required to provide the masonry wall at this time. By not requiring the masonry wall it will make the rear property screening consistent.

2. Special conditions of restricted area, topography or physical features exist that are peculiar to the subject parcel of land and are not applicable to other parcels of land in the same zoning district ;

The existing metal building has been on the property, per aerial imagery, since at least 2005. The food pantry is already operating out of this metal structure regardless of the proposed expansion. The proposed expansion is located in front of the existing structure, approximately 150 feet from the rear property fence and the adjacent residentially zoned property. Unlike other new developments where there is an existing residential neighborhood and a commercial business is then developed, the Church of the Good Shepherd purchased the property in 1997. The proposed building expansion should have a minimal impact on the adjacent residentially zoned property due to the property already being used for the Church and the food pantry operation. Additionally, the residentially zoned property immediately adjacent to the subject property was previously utilized by Bexar Waste for industrial purposes including storing of dumpsters and associated equipment. Currently, there is one residential structure on the property.

3. The hardship is the result of the applicant's own actions;

The request is to not require the masonry screening wall and instead provide increased landscaping in order to meet

the screening and buffering intent of the UDC. The Church of the Good Shepherd is actively requesting this variances so their associated site plan can complete the approval process, and they can obtain a building permit in order to construct the desired food pantry expansion.

4. The interpretation of the provisions in this UDC or any amendments thereto would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district that comply with the same provisions.

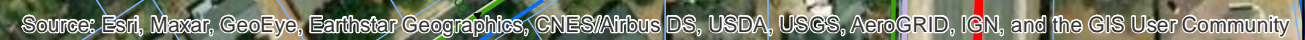
The subject property is currently zoned Public Use District (PUB) and has been utilized for a Church and the associated food pantry for many years without the requirement to install the masonry screening wall. Unlike other commercial developments the proposed food pantry expansion will have minimal impact on the adjacent residentially zoned property. By not requiring the installation of the masonry screening wall, the screening and buffering intent of the UDC will still be provided by increased landscaping that is being proposed.
















STAFF ANALYSIS AND RECOMMENDATION:

Staff recommends approval of PLVAR20220155, to not require the installation of an 8-foot masonry wall between the proposed food pantry expansion and the adjacent residential.



Attachments



Aerial Map
Public Hearing Notice Map
Variance Application and Supporting Documents
Public Hearing Notice Response
Draft Site Plan Exhibits





	<<all other values>>		<<all other values>>		Planned Secondary Arterial
	Highways		Freeway		Secondary Rural Arterial
	Major Roads		Principal Arterial		Planned Secondary Rural Arterial
	Minor Roads		Planned Principal Arterial		Residential Collector
	Other Cities		Secondary Arterial		Planned Residential Collector

Commercial Collector B 1" 8" 20" Schertz Gravity
Planned Commercial Collector B 2" 10" 24" Schertz Pressure
Commercial Collector A 3" 12" 30" Neighboring Gravity
Planned Commercial Collector A 4" 16" 36" Private Pressure
6" 18"

 Hydrant
  200' Buffer

 Manholes
  Schertz Municipal Boundary

 County Boundaries

0 75
 

County Boundaries

0 75 150 300 450 600 Feet

1 Inch = 150 Feet



Church of the Good Shepherd

Mission: Immaculate Conception, Marion | Schertz
Enter the Sheepfold


September 19, 2022

City of Schertz
Planning and Community Development
1400 Schertz Parkway
Schertz, Texas 78154

To Whom It May Concern:

Please find submitted herewith the necessary exhibits, documentation and justification requesting a variance from constructing an eight (8) foot masonry fence between non-residential and residential property as required in Article 9, Section 21.9.8 (B)(3) – Screening and Fencing of the Unified Development Code.

Respectfully Submitted,



Harry Bennett
Building Committee Chair
Church of the Good Shepherd

CITY OF SCHERTZ VARIANCE CHECKLIST

APPLICATION COMPLETENESS REQUIREMENTS:

- ☒ Fees including breakdown of calculations on a separate sheet
- ☒ Development Application signed by owner and notarized
- ☒ This checklist (signed by applicant/representative)
- ☒ One (1) set of plans (11" x 8 1/2") prepared in accordance with the checklist
- ☒ One (1) compact disc of all exhibits/applications electronically scanned (pdf and jpg)

****Do not leave any items unchecked****

Applicant	Staff	Not Applicable	TECHNICAL REQUIREMENTS		General Variance	Sign Variance
<input checked="" type="checkbox"/>			1	A survey of the subject property showing property dimensions, building locations, setback dimensions, and other applicable information.	✓	
<input checked="" type="checkbox"/>			2	Photos or additional information deemed appropriate for justification.	✓	
		<input checked="" type="checkbox"/>	3	If homeowner's association is in effect, provide an affidavit from an authorized representative of the association certifying that the association has approved the requested variance.	✓	
	<input checked="" type="checkbox"/>		4	Such other information as the City Planning Department or the Board of Adjustment Members may require to determine full compliance with the UDC and other applicable ordinances of the City.	✓	✓
<input checked="" type="checkbox"/>			5	Description of the requested variance and hardship.	✓	✓
<input checked="" type="checkbox"/>			6	Justification for the requested variance.	✓	✓
		<input checked="" type="checkbox"/>	7	Site Plan and elevation drawing of the proposed sign, dimensions, materials, colors, caption of the proposed sign, and such other data (such as lighting) as are pertinent to the application. Pictures and other back up documentation may be requested.		✓
		<input checked="" type="checkbox"/>	8	Provide the following information: type of proposed sign (monument, free-standing, building, directory, etc.), dimensions of building face elevation (height and length), square feet of each sign requested.		✓
		<input checked="" type="checkbox"/>	9	Show detail if illuminated, or add a statement indicating no illumination will be used.		✓
		<input checked="" type="checkbox"/>	10	Legend for abbreviations or symbols used.		✓

Board of Adjustment may grant variances or modifications of height, yard, area, coverage, parking regulations, accessory building and non-conforming use subject to making a finding of hardship that the variance meets all four of the following criteria. State how your request meets these conditions.

Description of variance request:

See attached document

1. Does the requested variance violate the intent of the Unified Development Code or deprive the applicant of right commonly enjoyed by other properties in the same zoning district that comply with the same provisions?

☐ Yes ☐ No

Explain: *see attachment for explanation*

2. Do special conditions or restricted area, shape, topography, or physical features exist that are irregular to the subject parcel of land and not applicable to other parcels of land in the same zoning districts? ☐ Yes ☐ No

Explain: *see attachment for explanation*

3. Is the hardship the result of the applicant's own actions or intended for financial interest? ☐ Yes ☐ No

Explain: *See Attachment for explanation*

4. Would granting this variance be detrimental to the public welfare or injurious to the value of property in the vicinity?

☐ Yes ☐ No

Explain: *See attachment for explanation*

Preparer's Signature: _____

Printed Name: *Harry Bruner*

Date prepared: *01/19/2012*

September 19, 2022

City of Schertz
Planning and Community Development

Project: Good Shepherd Catholic Church
Project #: PLSPC20220074
Parcel #: G24802

Reference: Variance Request

To Whom It May Concern:

As defined in Article 1, Section 21.1.10 Development Manual as well as the City of Schertz, Variance Checklist, the following photos, description and justification relating to requesting a variance, by the Church of the Good Shepherd, as it relates to constructing an eight (8) foot masonry fence as required and outlined in Article 9, Section 21.9.8 (B) (3) - Screening and Fencing of the City's Unified Development Code is herein submitted.

Thank you for your time in considering granting the Church of the Good Shepherd the above stated. This variance request is presented in two (2) parts. The first segment deals with the pragmatic (non-legal approach) or what the Church considers a sound justification for granting said variance from constructing an eight (8) foot fence and the second speaks to the technical or legal side of the appeal following the requirements enumerated in the City's "variance checklist."

It is our understanding, based on multiple discussions with staff via e-mail, text and phone conversations, that the Board of Adjustment's primary charge deals with zoning regulations within the Unified Development Code (UDC) and usually considers granting a variance based on height, yard area, coverage, parking regulations, accessory building or structures, or non-conforming uses and does not normally address a variance concerning construction issues. Staff also pointed out that the masonry fence obligation is a "site design requirement" not a zoning regulation. However, when the Church discussed our concerns with the Planning Director and staff on February 25 of this year and since the City does not have a construction board to consider such a variance, it was suggested the path forward was by applying for said variance via the Board.

The masonry fence requirement was triggered with the Church's desire to enhance its St. Vincent de Paul ministry by providing and housing its administrative offices and services at one location and in its own building. To best understand why the Church is requesting this variance; some background information is needed. For several years the Church of the Good Shepherd, through its St. Vincent de Paul Ministry, has provided needed assistance to the less fortunate of the community by running a food pantry as well as offering financial aid and consulting services. Unlike other ministries, St. Vincent de Paul has not had a permanent location from which to operate and has at various times used a different classrooms in the existing education center and on occasion the existing, front metal structures (see exhibit 1) located in the northwest corner of the Church's property as offices as well as a food distribution center.



EXHIBIT 1

At present, this group of volunteers uses the front half of the existing metal building not only as a logistic space but also for food storage, delivery and

distribution. In order to meet the growing food needs of those being served additional warehousing was needed, requiring the logistic space to be eliminated. Since this ministry does not have a permanent office of it's own, they must carry all their files and information with them, which makes it very difficult when interviewing families in need, a very cumbersome and trying situation at best. The St. Vincent de Paul committee decided it was necessary to expand and envisioned closure of a 20x40 foot porte-cochere attached to the front of the first building as an answer. This led to the original site plan permit request showing utility placement, parking and vehicular access and circulation. The site permit was approved and yes the masonry fence denoted. However, the current approved site permit did not include a building permit for enclosing the porte-cochere nor interior finish out, plumbing, electrical, or HVAC. Upon further evaluation, the Church and the Committee realized that the existing porte-cochere is being used as a drive through for food pick up. Which necessitated a plan "B". The solution was to construct a new 1,100sf building in front of but attached to the existing porte-cochere for office space (see exhibits 2, 2A and 2B).

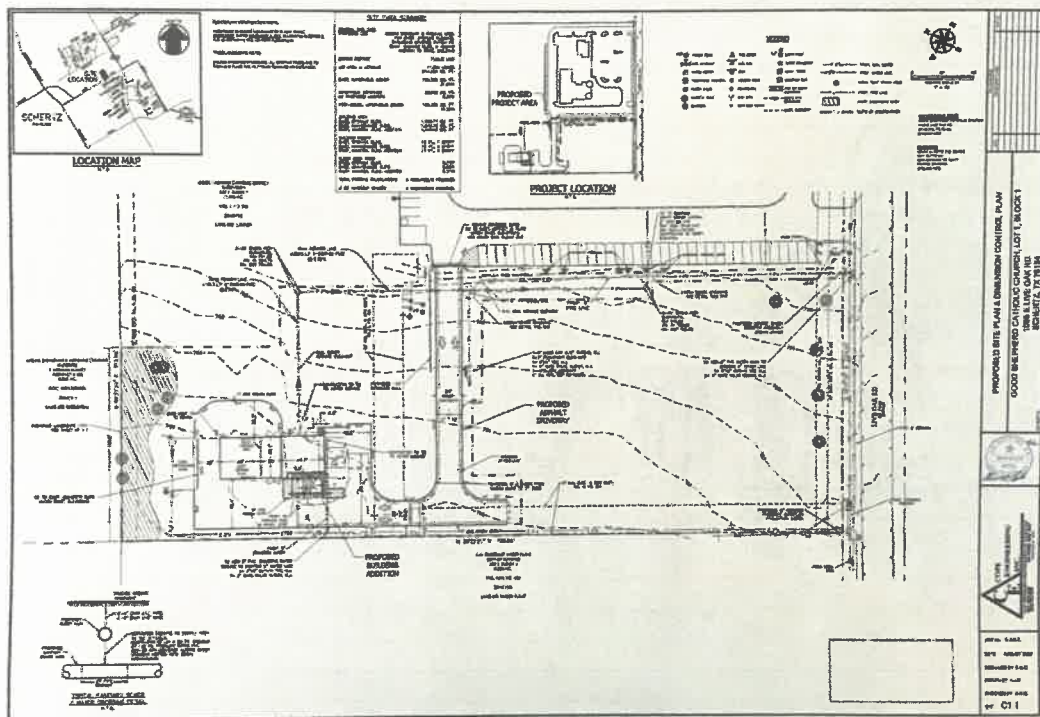


EXHIBIT 2

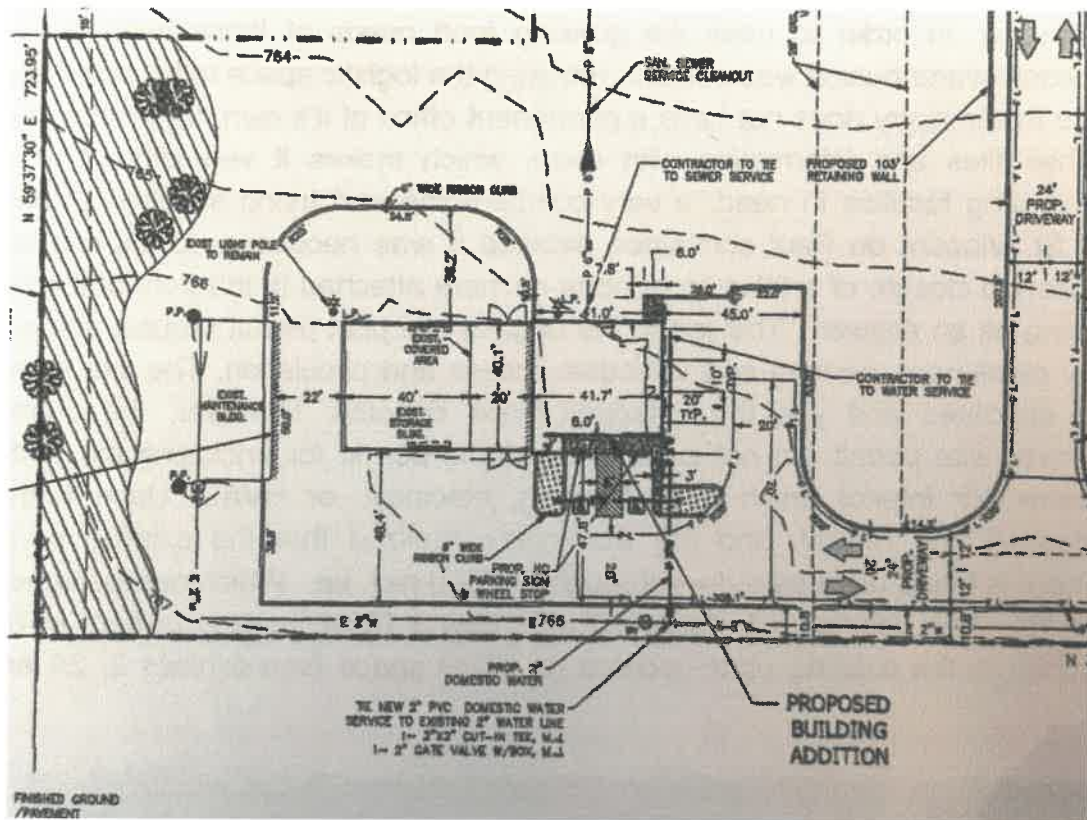


EXHIBIT 2A

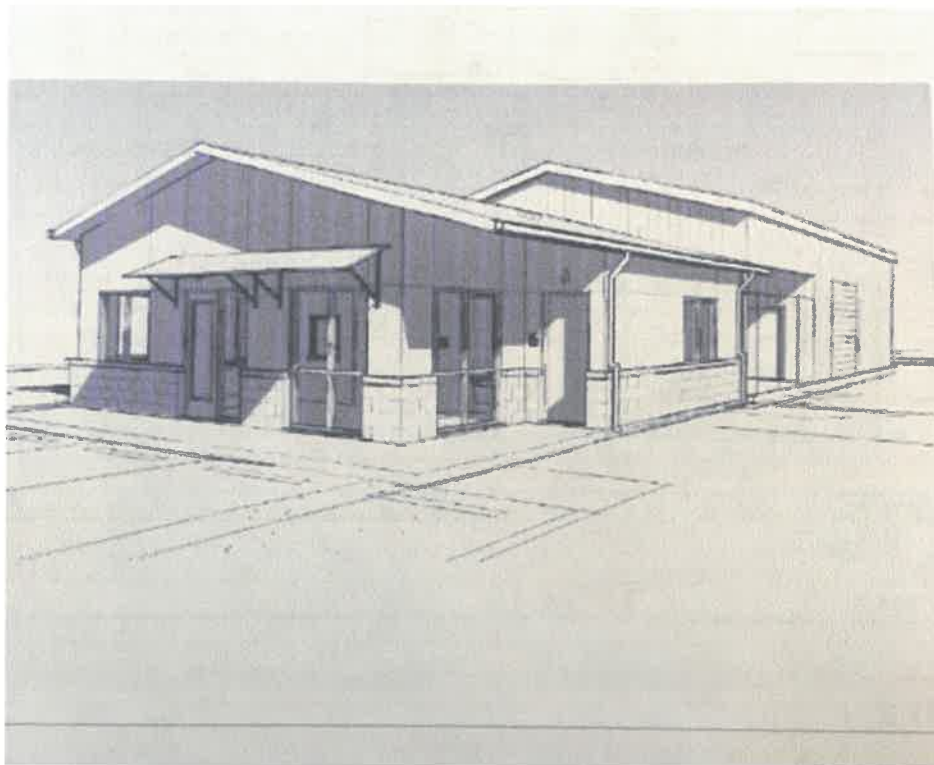


EXHIBIT 2B

As a general note and for your information, both the architectural and site plans have been completed and approved by the Archdiocese of San Antonio. Whether enclosing the porte-cochere or building a new structure, concerns surrounding the masonry fence requirement per the City's UDC comes into question as it relates to receiving approval of a new site plan certification and building permit.

Two (2) points of reference, first, since 2018 the church has been trying as to provide a permanent space for this ministry. In 2019 Cope Engineering submitted drawings for a site plan permit, which denoted utility improvements and placement, and paved access and parking associated with enclosing the existing porte-cochere. Second, this ministry serves between seventy (70) and ninety (90) less fortunate families. Food distribution is available only on Monday mornings between 10:00am and noon and offered, now, from the existing metal building. Families approach in their vehicles, pass through the existing porte-cochere, and food is placed in the open trunk or bed of their vehicle.

Over the past four (4) years the Church has been communicating with the Planning Staff with regard to the masonry fence requirement. Prior to our phone conversation with staff and the Director, in the latter part of February, staff requested that we state what the Church's objection is about constructing said fence. In response to that request and per staff's e-mail which said "from the Church's stand point, you all are no longer willing to install a masonry fence for the 190 linear feet as previously shown and approved on the site plan?" In response, the Church stated that we were never willing to install the masonry fence. On July 24, 2018 at a Council meeting Father Ed, the former pastor, objected to such a requirement. Furthermore, the only reason the fence was shown on the original site plan was because the engineer of record was told it was required in order to receive approval. The engineer, to our knowledge, did not suggest nor offer the Church any options that might have been available such as asking for a variance or exploring other possibilities – save that the fence was required. Aside from saying the fence was required by the City and given this statement relayed by the engineer, the Church presumed that it had no other choice. So to say the Church signed off on the installation of an eight (8) foot high masonry fence would not be totally accurate.

To answer the second question of staff's e-mail, as to the reason the Church feels the masonry fence between the adjacent vacant tract (currently zoned residential but previously used industrially) north of the Church's property is not applicable brings us to the City's reasoning behind why the masonry fence is

needed in the first place and why, in this case, is it a condition for approval of either the site or building permit.

At the August 7, 2018 City Council meeting, city staff stated that the only reason for the eight (8) foot masonry fence requirement was to mitigate the effects of light and noise as well as to provide a visual barrier between residential and non-residential properties. The Church's position as it relates to these three (3) elements is as follows:

1. In terms of lighting, there are two (2) existing area lights that have been at this location on the Church site since the tract was owned by the Schertz school district and prior to the Church purchasing and taking ownership in 1997 (see exhibit 3). The proposed new improvements add no additional or new area lighting. The existing light standards are housed on poles approximately twenty (20) feet above grade and shed light away from the adjacent residential property. Even if there were some light spill over, any type of fencing would need to be at least twenty (20) feet tall to deflect such lighting.



EXHIBIT 3

An eight (8) foot high fence would not mitigate this light issue. Furthermore, there are a variety of vegetation along the joint property line, and even though not considered the best trees there are at least three (3) ten (10) foot high hackberries along the fence line (see exhibit 4). All of which help to defuse what little illumination is generated by these two (2) area lights. Thus, the new construction does not add any further impact to the adjacent tract that does not already exist;



EXHIBIT 4

2. As to noise concerns and as stated earlier, St. Vincent de Paul ministry operations are from 10:00am to noon on Monday's only. Constructing a new building will not add, change nor increase noise levels that does not currently exist nor would be it generate a higher noise level; and
3. Finally, from a visual stand point the new building is about one hundred and fifty (150) feet south of the adjacent tract and would be visually obscured by the existing two (2) metal building (see exhibit 5) as well as the existing vegetation. Again, constructing a new structure do not adversely impact the view from the neighboring property.



EXHIBIT 5

In other words, when or if this residentially zoned tract becomes a single-family development, the lighting, noise and visual impact on said future development and homes will be the same as that which exists now whether the Church builds a new structure or not. Regardless, the St. Vincent de Paul ministry will continue to provide assistance to the less fortunate at it's present location. Having expounded on the Church's position, from what we perceive as a logical finding for granting a variance, staff has indicated that normally a variance is allowed, by the Board, based on a given set of, what one might describe as, technical or legal conditions relating to zoning issues as well as the presence of a hardship. As stated at the onset of this deliberation, our variance request does not involve consideration or circumstances normally associated with granting a variance based on height, yard area, coverage, parking regulations, accessory building or structures, or non-conforming uses. Nonetheless, the following opinions are tailored based on meeting the following four (4) criteria the Board considers when approving a variance. The Church understands that financial consideration does not constitute a hardship. The Church is not basing its request for a variance due to monetary consideration. With that being said we will address each of the

variance criteria as enumerated in the City's "variance checklist". The checklist asks how the variance request by Church meets the following conditions.

The first criterion says: *"Does the request violate the intent of the Unified Development Code or deprive the applicant rights commonly enjoyed by other properties in the same zoning district that comply with the same provision?"*

Does the Church request violate the intent of UDC? The answer is no if the only intent of the masonry fence, as outlined in the UDC and described by staff on August 7, 2018, is to mitigate the effects of light and noise as well as provide a visual barrier. Landscaping, trees and shrubs, can achieve and even exceed the intent as defined in the UDC. In terms of whether this request deprives the Church and its St Vincent de Paul ministry rights enjoyed by other properties with similar conditions - the answer is yes. The Church is just asking for the same consideration and treatment given the following properties. Exhibits 6 through 9 depict those properties that do not comply with either the masonry fence and/or landscape requirements of the UDC. CVS Pharmacy, at 2693 FM3009, is adjacent to a single-family property and is non-compliant in terms of fence height and landscape requirements. The fact the existing fence is the same material and height as the fencing along FM 3009, and it appears that the existing five plus (5ft 6in) foot fence was constructed at the time the subdivision was built out. Nevertheless, the City did not require CVS to replace the existing fence with the mandatory eight (8) foot high masonry fence nor install shrubs. When Schertz United Methodist Church, at 3460 Roy Richard Dr., made improvements to its buildings there was no requirement to replace the existing six (6) foot wood fence between the church and residential property with a masonry wall nor install additional landscaping. The same is true for Resurrection Baptist Church at 1002 Live Oak Road with its six (6) foot wooden fence and bamboo hedge. The Screening and Fencing section of the UDC goes on to say that even if a non-residential property is separated only by a street from property or properties zoned for single-family use, said non-residential tract, lot or parcel shall construct an eight (8) foot masonry wall. One such tract that was not required to comply with this last statement is the Kids Dental office located at 1080 FM3009. Yet, according to staff "...from the City's standpoint the code requirement (eight (8) foot masonry fence and landscaping) have remained unchanged". As a matter of record, of the examples just discussed, none of these properties applied for nor were granted a variance from either the masonry fence or landscape requirements.



EXHIBIT 6 - CVS Pharmacy



EXHIBIT 7 – Schertz United Methodist Church



EXHIBIT 8 – Resurrection Baptist Church



EXHIBIT 9

The second item on the checklist asks: *“Do special conditions or restricted areas, shape, topography, or physical feature exist that are irregular to the subject parcel of land and not applicable to other parcels of land in the zoning districts?”*

Are there any special conditions or restrictions that apply to the Church property that are not applicable to lands with the same zoning? The following exhibit (#10) indicates the flow of the storm water run-off from the property directly to the north of the Church site. Based on the Pre-Development and Post Development Drainage Area Map provided by Cope Engineering, contours or natural topography indicate that the drainage from the adjacent property flows, highlighted in yellow, from north to south and enters and crosses the entire length (some 778 feet) of the north property line of the Church tract. Construction of the eight (8) foot fence, regardless of the material used, could cause flooding on the adjacent land. Even if the fence were raised six (6) inches to allow for minor storm water discharge, any heavy rain occurrence could still cause undue damage to the acreage in question. Furthermore, as part of the Church campus master plan (exhibit 11) once a new site plan or building permit would be requested for the construction of the family center the masonry fence issue will again be triggered meaning the completion of the eight (8) foot masonry fence along the remaining north property line creating a damming effect and again possibly flooding the adjacent land.

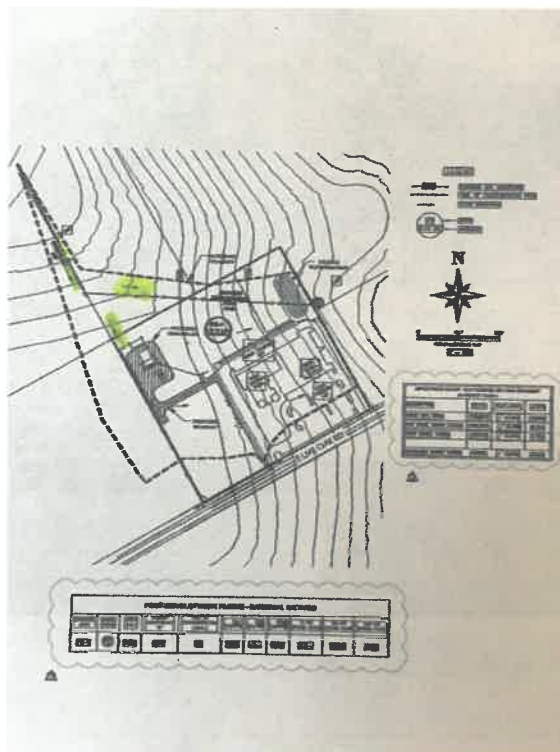


EXHIBIT 10



EXHIBIT 11

Criteria number three states: *"Is the hardship the result of the applicant's own actions or intended for financial interest?"*

According to staff the property north of the Church tract, known as the Gutierrez property, was annexed into the Corporate Limits of the City of Schertz, via a request by Henry and Rosie Gutierrez, in 1979. Under the conditions of said annexation, the owners were entitled to "...all the rights and privileges of other citizens of the City of Schertz and they shall be bound by the acts, ordinances, resolutions and regulations of said City". As an element of this annexation agreement that brought the Gutierrez property into the Corporate Limits, the City zoned the property as "R-1" single-family residential. Execution of said agreement by the owners acknowledged that they understood and accepted the conditions and zoning assigned to their property. This acknowledgement meant that the owners would rezone and/or plat the property when circumstances changed. Which begs the question on how did the Gutierrez family run and maintain a business on their property without issuance of a permit or

perchance a Certificate of Occupation (CofO)? To put things in perspective, according to the Texas Secretary of State Business Registration the family business, know as Gutierrez Disposal, Incorporated, filed for incorporation in 1971 as a domestic for-profit refuse corporation operating for fifty plus years. Per the filing, Gutierrez Disposal, Inc., listed their address as FM 3009 in Schertz, Texas. This information suggests that when the Gutierrez tract was annexed eight (8) years later the land use at the time might have been industrial or at best a business use, but not residential. Section 43.002 of the Texas Local Government Code permits a property owner to continue certain land use following annexation. Which might have been the case with Gutierrez Disposal. However, there are exception to this statue that says a municipality is not prohibited from imposing regulations relating to the storage and use of hazardous substances. The EPA defines hazardous items as materials that are harmful to people, plants or animals when dumping or disposing into the environment. House whole chemicals, paint, gasoline or paint thinner fall under this classification. With that in mind, at the time of annexation the City and the Gutierrez family could have and should have entered into an agreement zoning the property based on the existing industrial land use. Let us presume the land was not used as a business or industrially, then bringing the Gutierrez property into the corporate limits as R-1 Single Family Residential was appropriate. However, if the tract was not residential, then the action of the City rendered the property as an "Illegal non-conforming use" and municipalities may not knowingly cause a property to be illegally zoned.

Regardless of the land use associated with the Gutierrez tract at the time of annexation, it was stated earlier that the owners "... shall be bound by the acts, ordinances, resolutions and regulations of said City". In 1984 the EPA sighted the entire Gutierrez Deposal Service tract because "...they posed a potential risk to human health and/or the environment due to contamination by one or more hazardous waste" for the entire property. Meaning that the current R-1 Single Family zoning was not appropriate for the use on the property. So what would be the correct zoning for property being used as a dumping site that collected hazardous material? To understand the type of zoning needed to operate such a business, one must turn to Article 16 – Definitions of the UDC. There are three (3) classifications relating to "Recycling". The first is the Recycling Collection Center dealing with separating recoverable material and stored in on-site bins for shipment to others. However, the handling of hazardous material

is not included in this definition. Definition number two is a Recycling Collection Point referring to an incidental neighborhood drop-off point for temporary storage. One key point is the term "temporary". The Gutierrez business or site was used on a temporary bases. Finally, number three denotes a site but not a salvage yard for recoverable items that are collected, stored, recycled and processed to be used in production of goods. Again, there was no mention of recycling or handling of hazardous material with9n this definition. Of the three (3) uses denoted in Article 5, Section 21.5.8 – Permitted Use Table of the UDC, Recycle Collection Center best fits the use of the Gutierrez property suggesting that the zoning should at least be GB-2 General Business. Still, due the acceptance and storage of hazardous materials, as defined by the EPA, and the fact that this business operated year around, one of the manufacturing districts, either M-1 or M-2, would have been better suited for Gutierrez Disposal, Inc. operations. Exhibits 12 and 13, entitled Land Use Inventory implies, from a windshield survey taken and prepared for the City's 2002 Comprehensive Plan by Wilber Smith Associates, that the Gutierrez property was shown as and being used as industrial. It should also be noted that the entire property, as shown in a recent aerial photo (exhibit 14) might have been used in the operation of the business including the residential structure. This attached aerial show that the back area of the property housed eighteen-wheelers, front-in loaders, and other miscellaneous equipment. It appeared that the outbuilding or metal shed was not only a storage facility but might have been used as a mechanic's shop.

The above information leads one to ask why the City did not initially zone the Gutierrez tract as a business or industrial at the time of annexation if it was being used as a refuse site and not solely as a residence. Or due to the storage and use of hazardous substances, why didn't the City exercise its authority, under the Government Code, to assign the appropriate zoning to the property. If the City had rezoned the Gutierrez property to either a business or industrial classification there would be no need for a variance. This suggest that the City was complacent in it's duty by allowing the subject property and the owner's to operate "illegally". So to answer the question "Is the hardship the result of the applicant's own actions or intended for financial interest?" the answer is no. The hardship was and is the result of action or lack of action by another party.

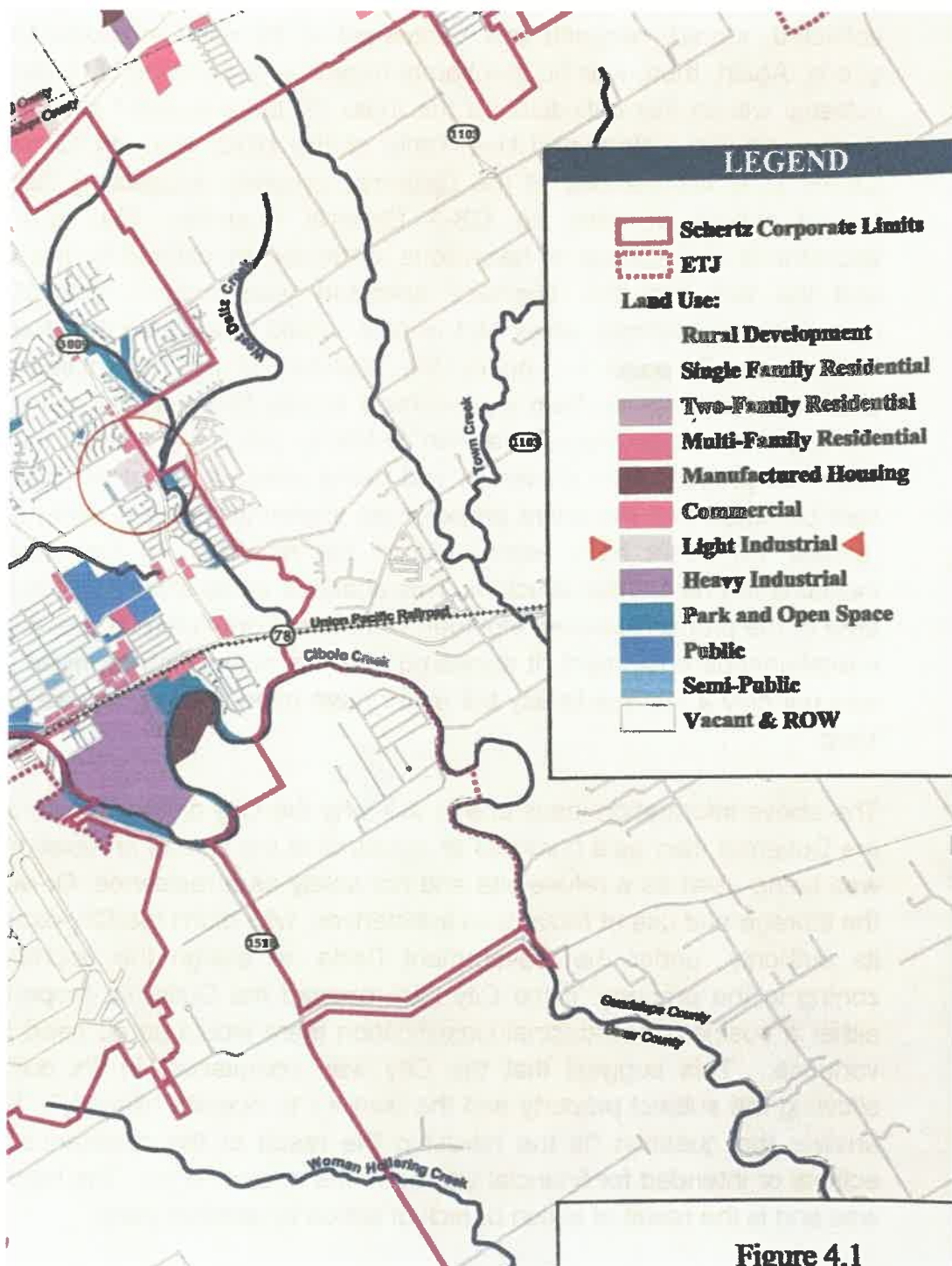


Figure 4.1

EXHIBIT 12

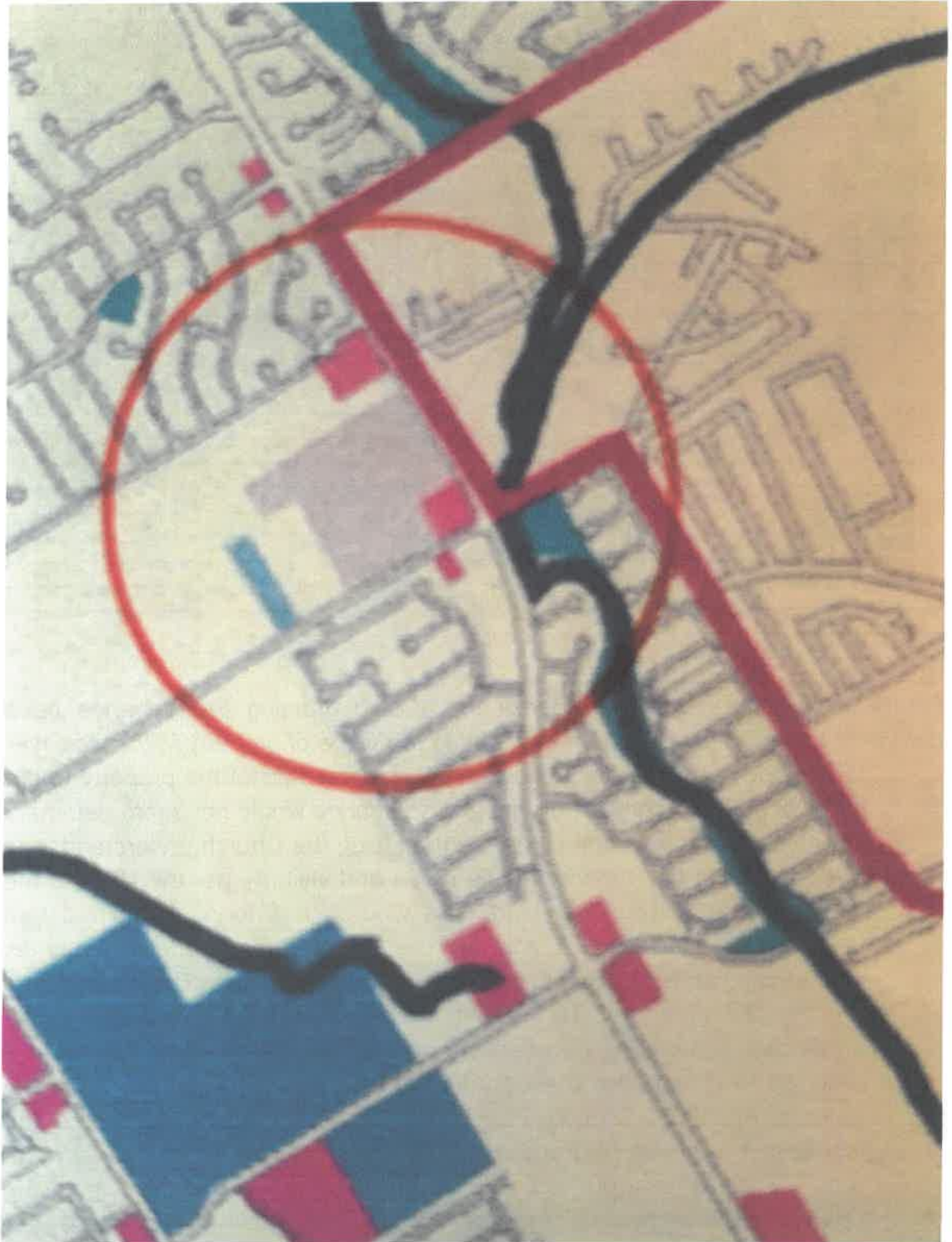


EXHIBIT 13

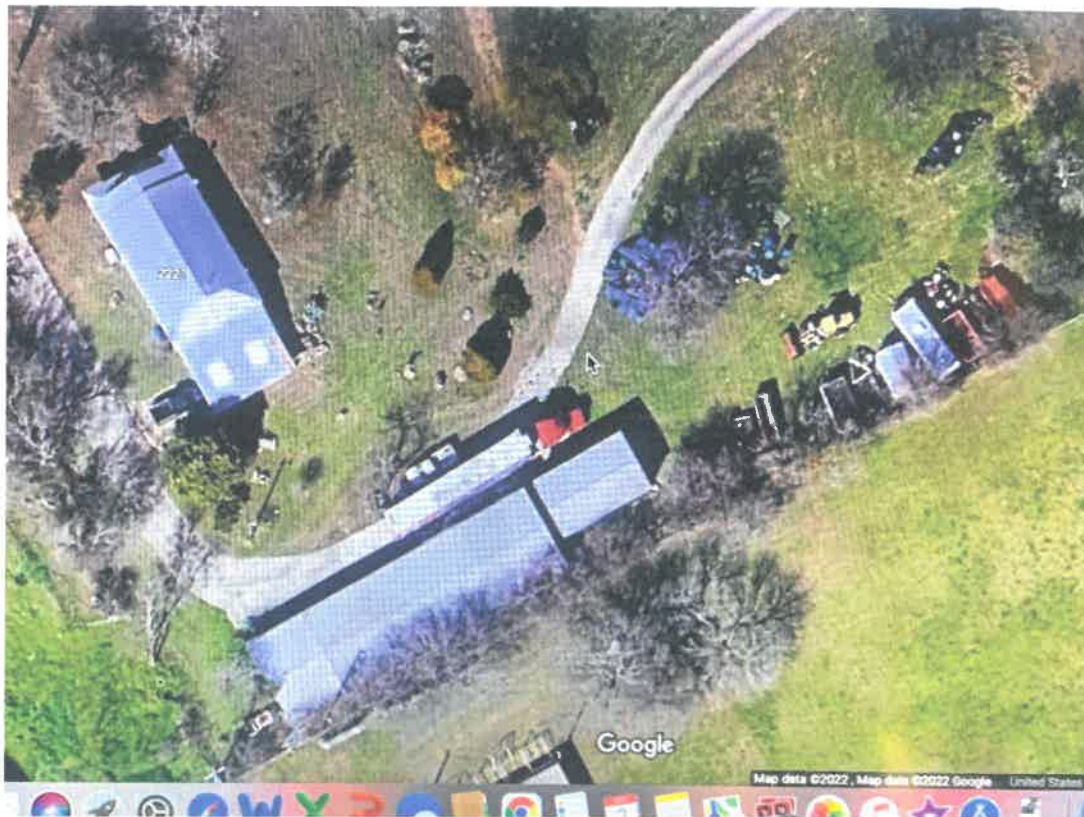


EXHIBIT 14

Finally, criteria four question speaks to: *“Would granting this variance be a detriment to the public welfare or injurious to the value of property in the vicinity?”*

When one considers the pervious use and activities of the property to the north of the Church tract, granting this variance would not seem detriment to either the public or the Gutierrez tract. But, the Church understands the need to soften the impact of light, noise and visibility per the UDC to the adjacent and surrounding land. The Church has long maintained that landscaping can and will achieve the same, if not better, results as constructing an eight (8) foot masonry fence between the Church property and the Gutierrez tract. To that end the Church has proposed to city staff enhanced landscaping between the two (2) properties. If the church was required to construct a masonry fence, the landscape guidelines as set forth in Article 9, Section 21.9.7 (G) of the UDC, would require the installation of seven (7) trees and thirty-eight (38) shrubs along the north property line. In lieu of the building a masonry fence and to mitigate the City’s concerns relating to light, noise, and view, the Church per conversations with staff is proposing, as shown on exhibit 15 - Landscape

Plan, in addition to the existing four (4) mesquite trees, to plant ten (10) more shade trees and fifty (50) shrubs along the common property line. The proposed trees along the north property line, at maturity, will reach a height of sixty (60) feet (52 feet taller than the required 8 foot fence) and each with a spread of five (5) feet providing for a solid barrier between the properties. Since the proposed trees are deciduous, the species of trees specified were selected so each loses it's leaves or adds new foliage at different times during the year so as to maintain visual, sound and illumination barrier between properties. The same is true with reference to the shrubs each with varying heights and densities in order to form a natural barrier. In all, as it relates to this project, the Church is committed to planting twenty (20) trees and fifty-six (56) shrubs.

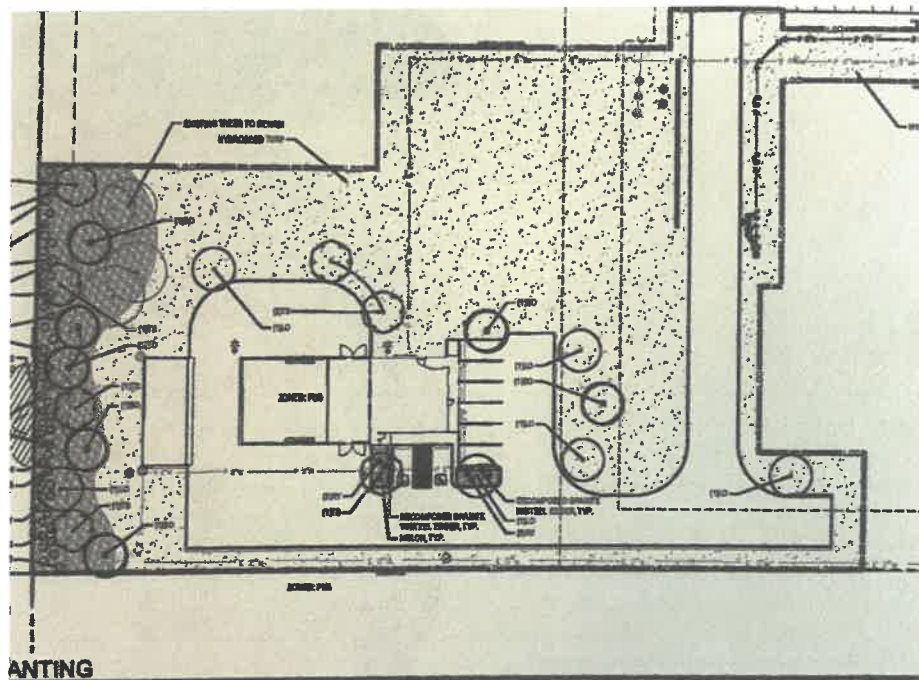


EXHIBIT 15

On behalf of the Church of the Good Shepherd thank you for considering our request for a variance to constructing an eight (8) foot masonry fence as required and outlined in Article 9, Section 21.9.8 (B) (3) - Screening and Fencing of UDC. We respectfully ask that the masonry fence variance submitted herein be granted but in lieu thereof the landscaping as shown on the proposed Landscape Plan be approved.

Harry Bennett
Building Committee Chair

NOTICE OF PUBLIC HEARING

October 18, 2022

To whom it may concern,

The City of Schertz Board of Adjustment will conduct a public hearing on **Monday, November 7, 2022 at 6:00 p.m.** located at the Municipal Complex Council Chambers, 1400 Schertz Parkway, Building #4, Schertz, Texas to consider and act upon the following item:

PLVAR20220155- A request for a variance to Unified Development Code Article 9 Section 21.9.8 Screening and Fencing, specifically subsection 21.9.8.B.3 in order to not require an eight foot (8') masonry screening wall between nonresidential and single family zoned properties, located at 1065 Live Oak Road, City of Schertz, Guadalupe County, Texas.

Because you own property within 200 feet of the subject property, the Board of Adjustment would like to hear how you feel about this request and invites you to attend the public hearing. If you would like to express how you feel, please complete the bottom portion of this letter and return before the public hearing date by mail or personal delivery to Samuel Haas, Planner, 1400 Schertz Parkway, Schertz, Texas 78154, or by e-mail shaas@schertz.com. If you have any questions please feel free to call Samuel Haas, Planner directly at (210) 619-1783.

Sincerely,

Samuel Haas
Planner

Reply Form

I am: in favor of ☐ opposed to ☐ neutral to ☐ the request for **PLVAR20220155**

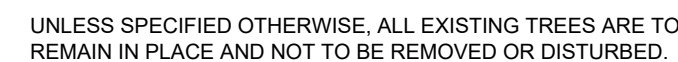
COMMENTS: since this is a church & across live oak from subdivision

NAME: Edna Teicher SIGNATURE Edna Teicher
(PLEASE PRINT)

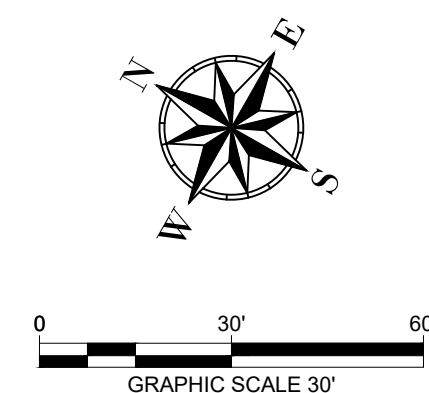
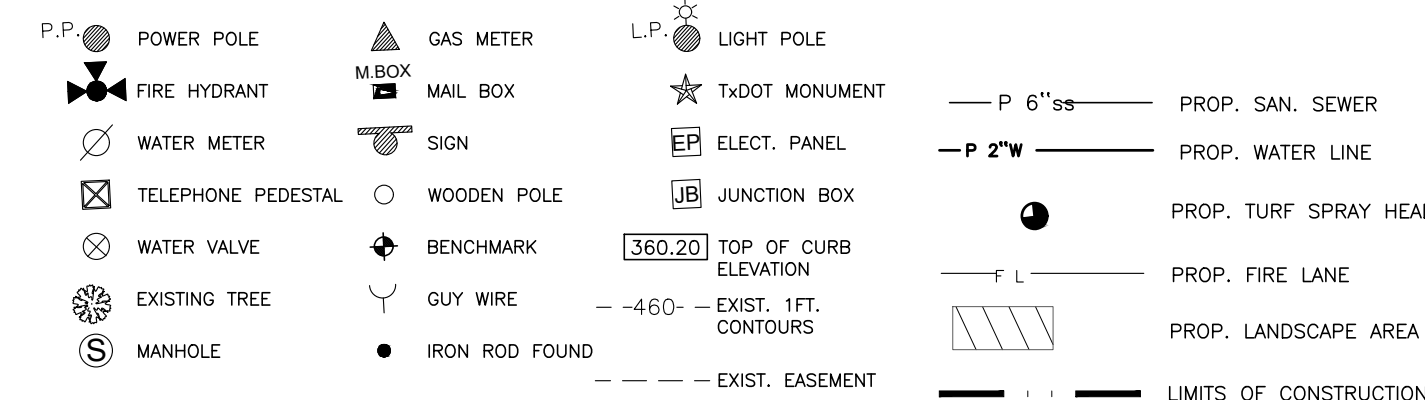
STREET ADDRESS: 140 Lincoln Dr

DATE: 10/20/22

don't see that screening fence is required. All houses that back up to live oak have privacy fences. ^{also}

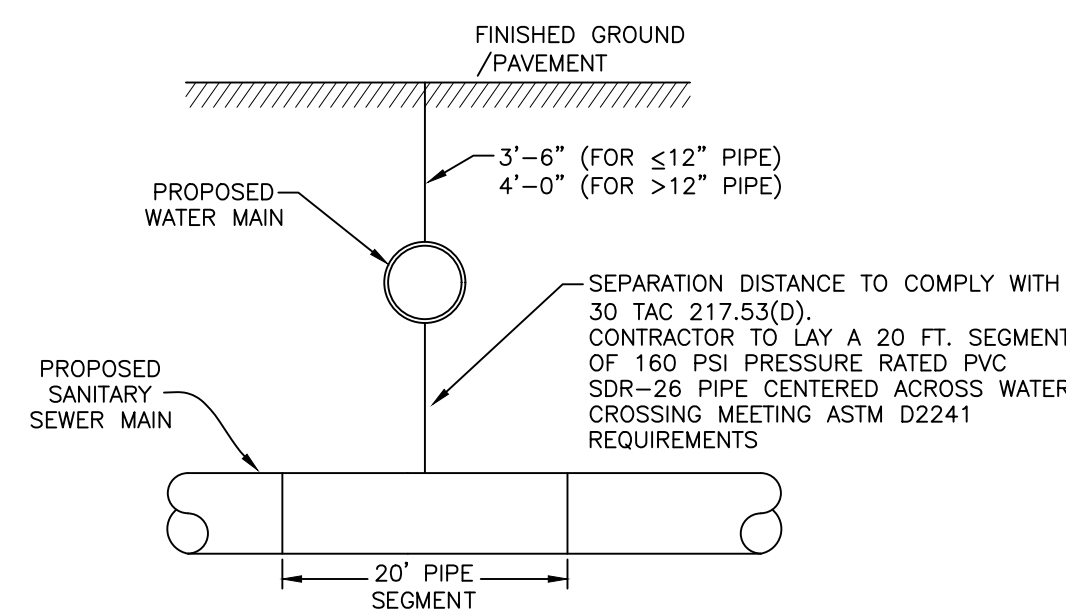
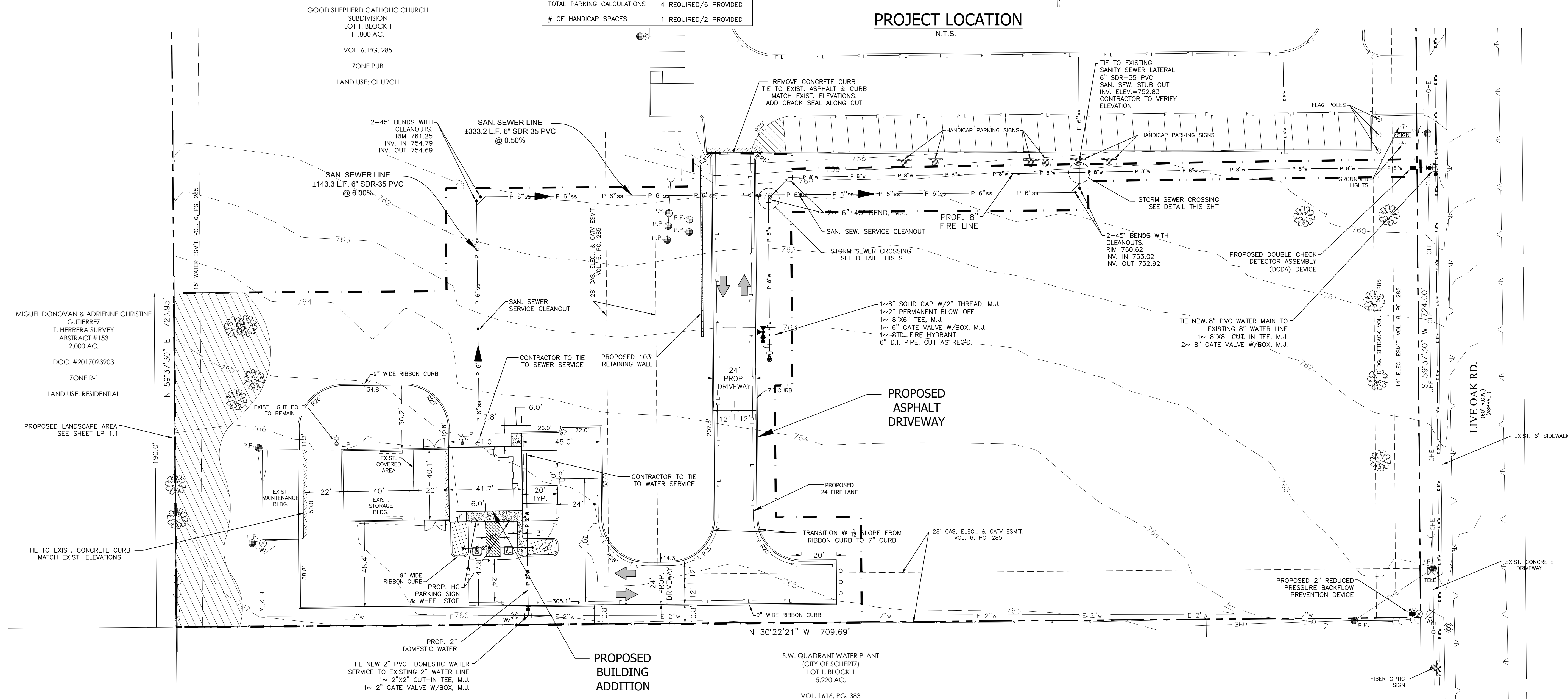


<u>SITE DATA SUMMARY</u>		
<u>GENERAL SITE DATA</u>		
PROPOSED USE	ADDING DRIVEWAY & PARKING AREA FOR EXIST. STORAGE BUILDING. ENCLOSING COVERED PORCH OF EXIST. STORAGE BLDG. & ADDING ADDITION TO EXIST. BUILDING	
ZONING DISTRICT	PUBLIC USE	
LOT AREA & ACREAGE	11,800 ACRES 514,008 SQ. FT.	
EXIST. IMPERVIOUS COVER	159,352 SQ. FT. 31.00%	
IMPERVIOUS COVERAGE OF PROPOSED ADDITION	26,850 SQ. FT. 5.22%	
POST-DEVEL. IMPERVIOUS COVER	186,202 SQ. FT. 36.22%	
BUILDING AREA		
EXIST. STORAGE BLDG.	1,600.71 SQ. FT.	
EXIST. MAINTENANCE BLDG.	1,038.78 SQ. FT.	
PROP. MAINTEN. BLDG. ADDITION	1,580.00 SQ. FT.	
BUILDING HEIGHT		
EXIST. STORAGE BLDG.	16 FT.	1 STORY
EXIST. MAINTENANCE BLDG.	16 FT.	1 STORY
PROP. MAINTEN. BLDG. ADDITION	11 FT.	1 STORY
FLOOR AREA RATIO		
EXIST. STORAGE BLDG.	0.31%	
EXIST. MAINTENANCE BLDG.	0.20%	
PROP. MAINTEN. BLDG. ADDITION	0.31%	
TOTAL PARKING CALCULATIONS	4 REQUIRED/6 PROVIDED	
# OF HANDICAP SPACES	1 REQUIRED/2 PROVIDED	



OWNER/DEVELOPER
GOOD SHEPHERD CATHOLIC CHURCH
1065 E. LIVE OAK RD.
SCHERTZ, TX 78154
(210) 658-4350

ENGINEER
BRIAN M. COPE, P.E. #93735
8611 BOTTS LN.
SAN ANTONIO, TX 78217
TX REG. #F-16078
(210) 828-7070



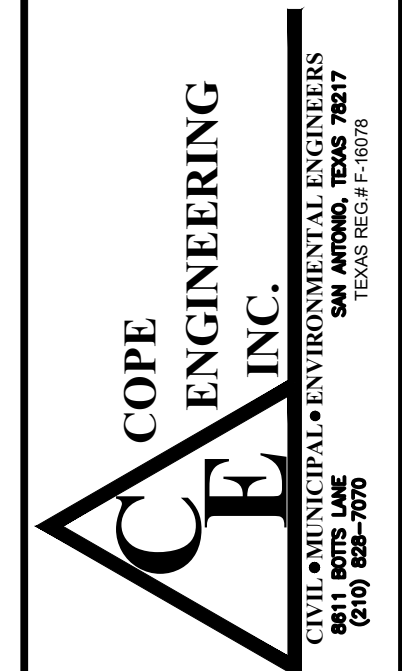
TYPICAL SANITARY SEWER
/ WATER CROSSING DETAIL
N.T.S.

[illegible]

PROPOSED SITE PLAN & DIMENSION CONTROL PLAN

GOOD SHEPHERD CATHOLIC CHURCH, LOT 1, BLOCK 1
1065 E LIVE OAK RD.
SCHERTZ, TX 78154

SCHEPTZ



JOB No. : G.S.C.C.

DATE : AUGUST 2022

DESIGNED BY: B.M.C.

DRAWN BY: A.J.M.

CHECKED BY: B.M.C.

SHT: C1.1

TREE PRESERVATION

TREE PRESERVATION: (Tree Survey Method)

TREES SURVEYED

PROTECTED TREES: 0 TOTAL INCHES X 25% REQ. PRESERVED : 0 INCH. (25%)
PROTECTED TREE INCH. PRESERVED: 0 INCH. (0%)
REQUIRED PROTECTED MITIGATION AT 1:1 INCH RATIO: 0" REQ. MITIGATION

HERITAGE TREES: 0 TOTAL INCHES X 25% REQ. PRESERVED : 0 INCH. (25%)
HERITAGE TREE INCH. PRESERVED: 0 INCH. (0%)
REQUIRED HERITAGE MITIGATION AT 3:1 INCH RATIO: 0" REQ. MITIGATION

TOTAL REQUIRED MITIGATION ON SITE: 0" REQUIRED MITIGATION

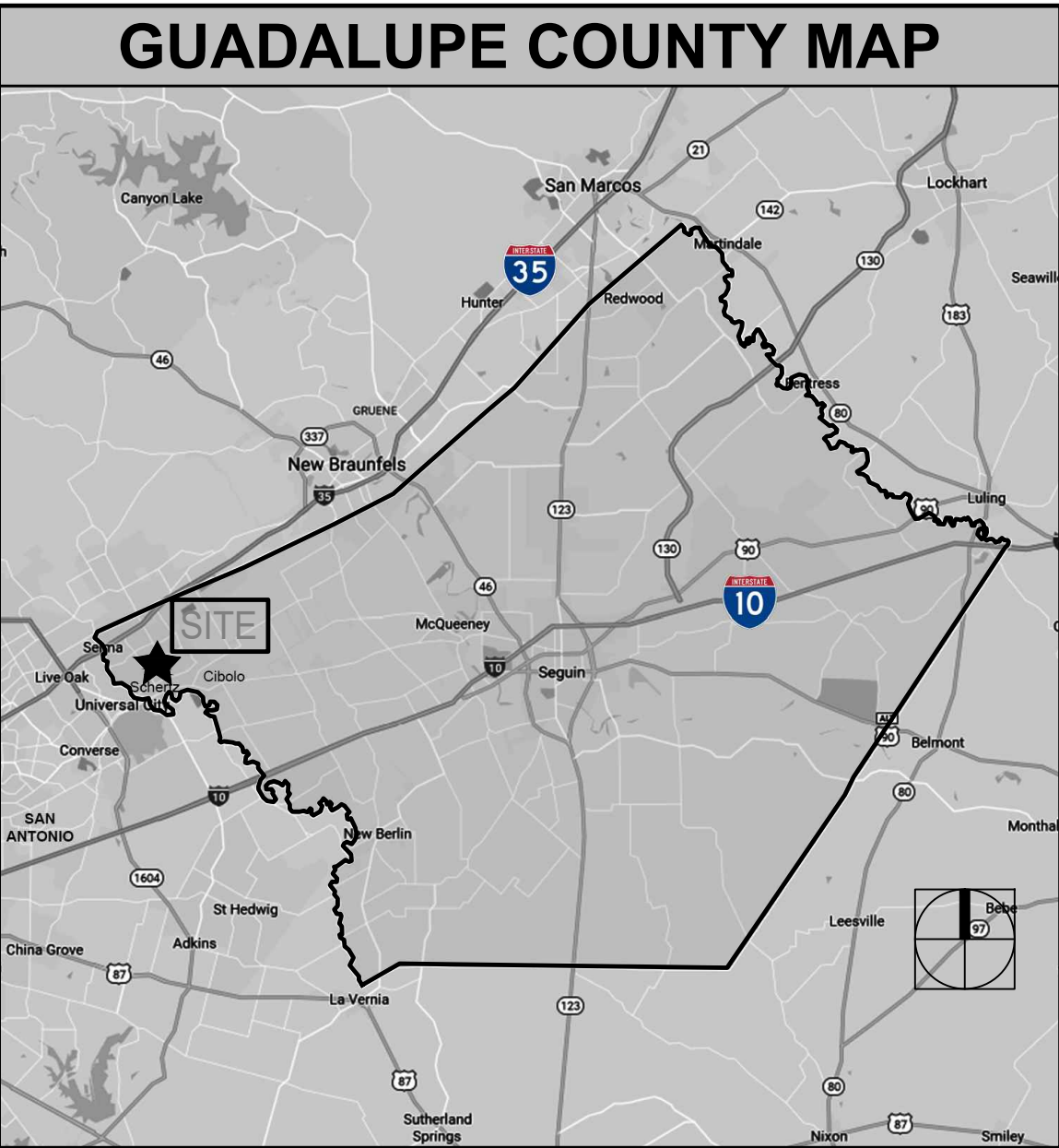
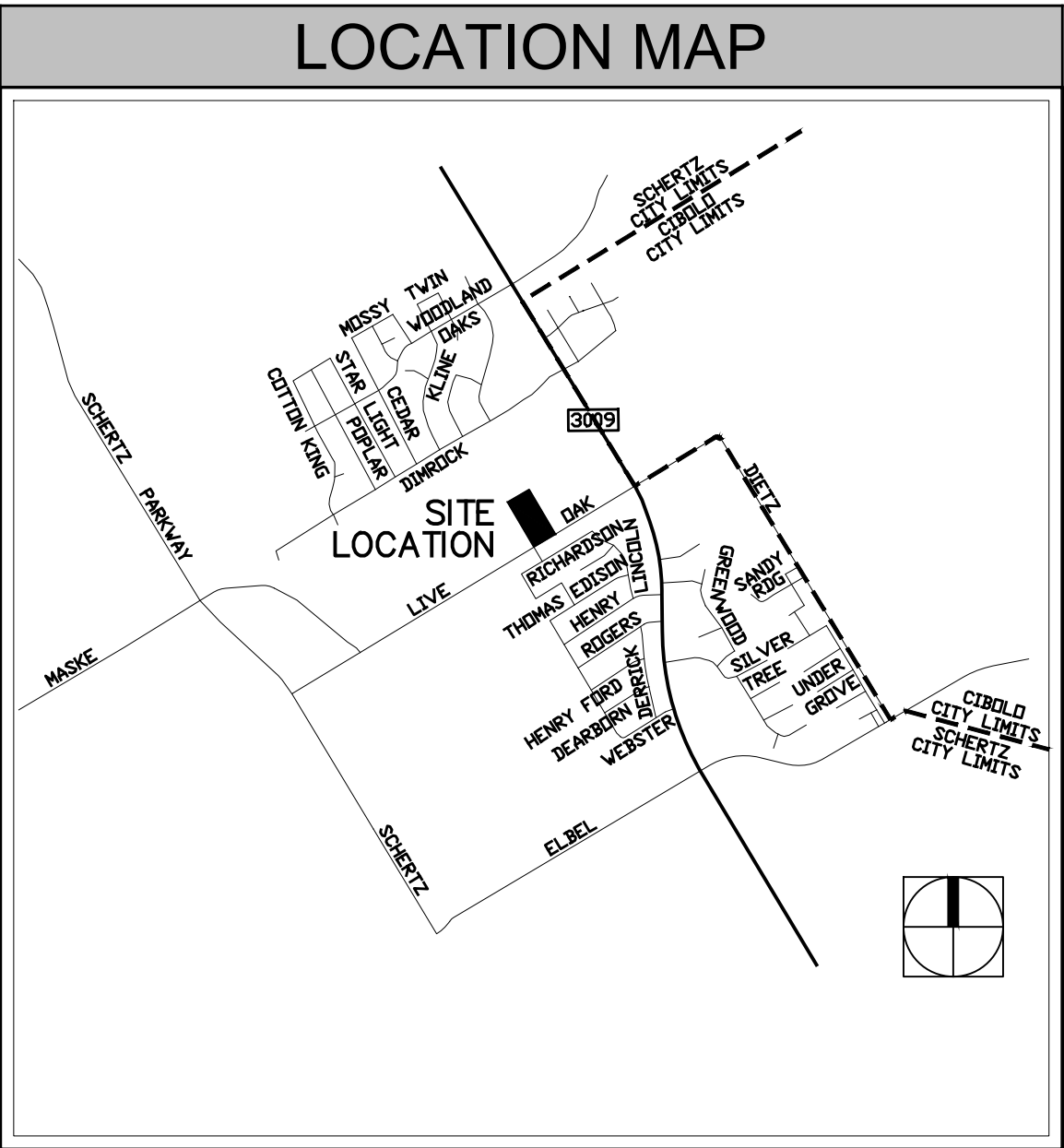
PRESERVED TREES AREA EXEMPTED SPECIES PER TABLE 21.9.9. RETAINED TREES ARE INCLUDED IN LANDSCAPE CALCULATIONS ON LP SHEET.

REFERENCE LP SHEET FOR PROPOSED TREES AND DETAIL LANDSCAPE CALCULATIONS

PRESERVED TREES

REMOVED TREES

GOOD SHEPHERD CATHOLIC CHURCH TREE INVENTORY								
Tag #	Species	Understory Species* 5.0" - 11.5"		Significant Tree 8" - 23.5"		Heritage Tree 1:1 24" - Greater		Additional Inches Preserved for Mitigation ***
		Removed	Preserved	Removed	Preserved	Removed	Preserved	
1	*Mesquite - 13"				13			
2	*Mesquite - 10"				10			
3	*Hackberry - 14"				14			
4	*Hackberry - 14"				14			
5	*Hackberry - 17"				17			
6	*Hackberry - 13"				13			
Sub. Tot. Inches=		0	0		30	51	0	0
Total inches by category=			0			81		0
Preservation percentage=		#DIV/0!		63%		#DIV/0!		0
Mitigation required (Commercial) =		0		#REF!				
Mitigation required (Residential) =		0		#REF!				
*Tree species exempted from mitigation requirements per Table 21.9.9								



- LEGEND
- P.P. POWER POLE

FIRE HYDRANT

WATER METER

TELEPHONE PEDESTAL

WATER VALVE

EXISTING TREE

MANHOLE

GAS METER

MAIL BOX

SIGN

WOODEN POLE

BENCHMARK

GUY WIRE

IRON ROD FOUND

L.P. LIGHT POLE

TxDOT MONUMENT

ELECT. PANEL

JUNCTION BOX

TOP OF CURB ELEVATION



201 GROVETON | SATX 78210
210.314.5582 | MPSTUD.IO



PROJECT

GOOD SHEPHERD
CATHOLIC CHURCH
LOT 1, BLOCK 1

PROJECT ADDRESS
1065 E. LIVE OAK RD.
SCHERTZ, TEXAS 78154

OWNER | CLIENT
GOOD SHEPHERD CHURCH
1065 E. LIVE OAK RD.
SCHERTZ, TEXAS 78154

OWNER'S REPRESENTATIVE
HARRY BENNETT
210.885.4240
hbschertz@yahoo.com

SUBCONSULTANT

REVISIONS

ISSUE SETS

NO.	DATE	DESCRIPTION
1	04.26.22	PERMIT ISSUE
2	09.14.22	PERMIT REVISIONS

SHEET INFORMATION

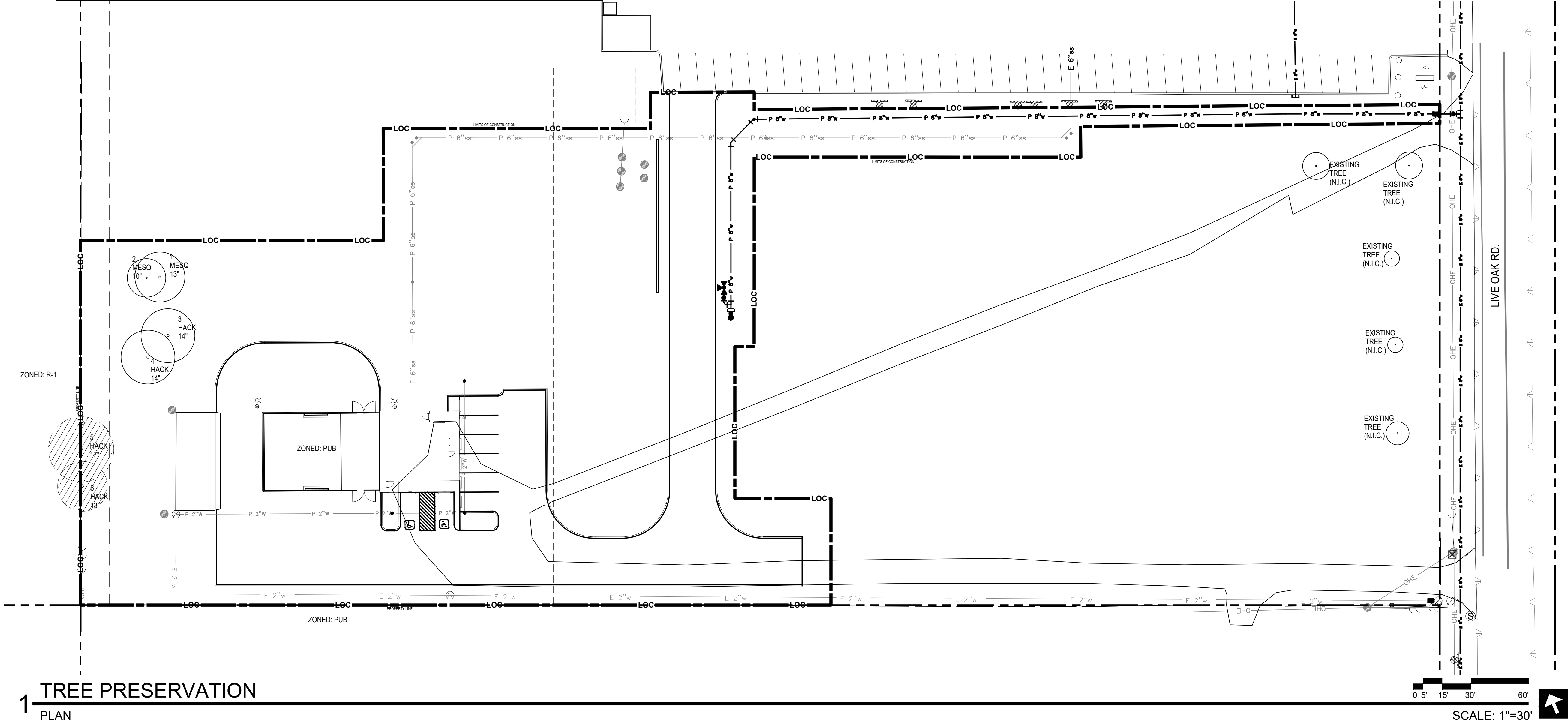
PROJECT NO.
21093

DATE ISSUED
SEPTEMBER 14, 2022

SHEET NAME

TREE PRESERVATION
PLAN
SHEET NUMBER

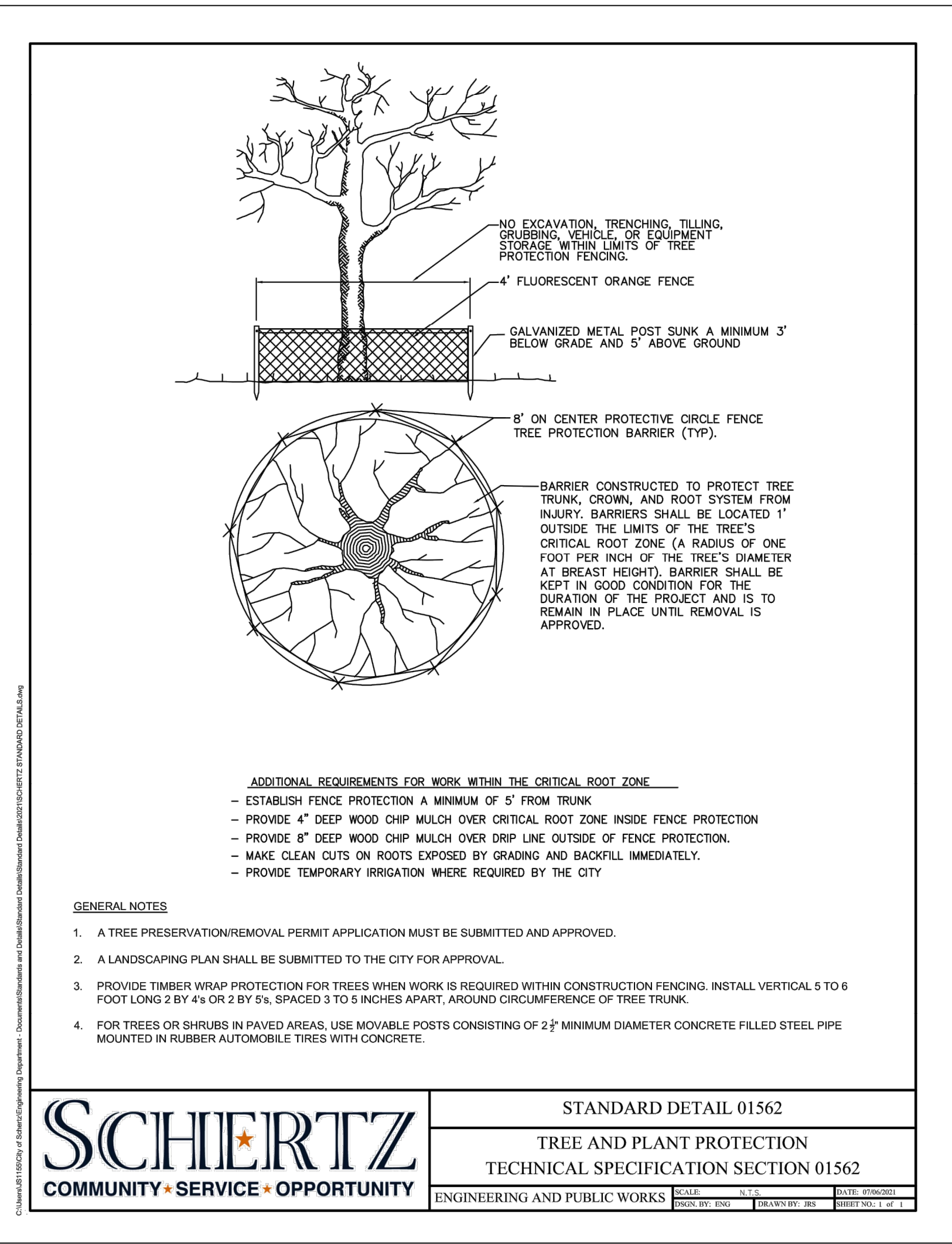
TP 1.1



1 TREE PRESERVATION
PLAN

EXISTING TREE NOTES

1. ALL THE TREES WITH A DIAMETER GREATER THAN 3 INCHES AFFECTED BY CONSTRUCTION SHALL HAVE THE LIMBS AND ROOTS TRIMMED AND PRUNED ACCORDING TO TREE PRUNING, SOIL AMENDING AND FERTILIZATION, UNLESS SPECIFIED TREES SHALL RECEIVE PROTECTION AS SHOWN ON TREE PROTECTION DETAIL ON THIS SHEET.
2. ALL TREES SHALL REMAIN UNLESS NOTED ON THE PLANS.
3. NO SITE PREPARATION WORK SHALL BEGIN IN AREAS WHERE TREE PRESERVATION AND TREATMENT MEASURES HAVE NOT BEEN COMPLETED AND APPROVED BY CITY INSPECTOR.
4. TREE PROTECTION FENCING SHALL BE REQUIRED. TREE PROTECTION FENCING SHALL BE INSTALLED, MAINTAINED AND REPAIRED BY THE CONTRACTOR DURING SITE CONSTRUCTION.
5. THE CONTRACTOR SHALL AVOID CUTTING ROOTS LARGER THAN THREE INCHES IN DIAMETER WHEN EXCAVATING NEAR EXISTING TREES. EXCAVATION IN THE VICINITY OF TREES SHALL PROCEED WITH CAUTION. THE CONTRACTOR SHALL CONTACT THE CITY INSPECTOR.
6. THE ROOT PROTECTION ZONE IS THAT AREA SURROUNDING A TREE, AS MEASURED BY A RADIUS FROM THE TREE TRUNK, IN WHICH NO EQUIPMENT, VEHICLES OR MATERIALS MAY OPERATE OR BE STORED. THE REQUIRED RADIUS LENGTH IS 1 FOOT PER DIAMETER INCH OF THE TREE. FOR EXAMPLE, A 10-INCH DIAMETER TREE WOULD HAVE A 5-FOOT RADIUS ROOT PROTECTION ZONE AROUND THE TREE. ROOTS OR BRANCHES THAT ARE IN CONFLICT WITH THE CONSTRUCTION SHALL BE CUT CLEANLY ACCORDING TO PROPER PRUNING METHODS. LIVE OAK WOUNDS SHALL BE PAINTED OVER, WITHIN 20 MINUTES TO PREVENT OAK WILT.
7. ACCESS TO FENCED AREAS WILL BE PERMITTED ONLY WITH THE APPROVAL OF THE ENGINEER OR CITY INSPECTOR.
8. GRADING, IF REQUIRED, SHALL BE LIMITED TO A 3 INCH CUT OR FILL WITHIN THE FENCED ROOT ZONE AREAS.
9. TREES, SHRUBS OR BUSHES TO BE CLEARED FROM PROTECTED ROOT ZONE AREAS SHALL BE REMOVED BY HAND AS DIRECTED BY THE PROJECT MANAGER OR CITY INSPECTOR.
10. TREES DAMAGED OR LOST DUE TO CONTRACTOR'S NEGLIGENCE DURING CONSTRUCTION SHALL BE MITIGATED TO THE ENGINEER'S SATISFACTION.
11. EXPOSED ROOTS SHALL BE COVERED AT THE END OF EACH DAY USING TECHNIQUES SUCH AS COVERING WITH SOIL, MULCH OR WET BURLAP.
12. ANY TREE REMOVAL SHALL BE APPROVED BY THE CITY ARBORIST PRIOR TO ITS REMOVAL.



201 GROVETON | SATX 78210
210.314.5582 | MPSTUD.IO



PROJECT

GOOD SHEPHERD
CATHOLIC CHURCH
LOT 1, BLOCK 1

PROJECT ADDRESS
1065 E. LIVE OAK RD.
SCHERTZ, TEXAS 78154

OWNER | CLIENT
GOOD SHEPHERD CHURCH
1065 E. LIVE OAK RD.
SCHERTZ, TEXAS 78154

OWNER'S REPRESENTATIVE
HARRY BENNETT
210.885.4240
hbschertz@yahoo.com

SUBCONSULTANT

REVISIONS

NO.	DATE	DESCRIPTION

ISSUE SETS

NO.	DATE	DESCRIPTION
1	04.26.22	PERMIT ISSUE
2	09.14.22	PERMIT REVISIONS

SHEET INFORMATION

PROJECT NO.
21093

DATE ISSUED
SEPTEMBER 14, 2022

SHEET NAME

**TREE PRESERVATION
NOTES & DETAILS**
SHEET NUMBER

TP 2.1

LANDSCAPE ORDINANCE

ARTICLE 9, E. LANDSCAPE INSTALLATION REQUIRED

1. **LANDSCAPED AREA:** A MINIMUM OF TWENTY PERCENT (20%) OF THE TOTAL LAND AREA OF ANY PROPOSED MULTI-FAMILY OR NON-RESIDENTIAL DEVELOPMENT SHALL BE LANDSCAPED AND COMPRISED OF TREES, SHRUBS, SOD OR OTHER GROUNDCOVER.
- | | |
|-------------------------------------|--------------------------|
| TOTAL LAND AREA = 86,545 SF @ 20% = | 17,309 SF REQUIRED |
| LANDSCAPE AREA PROVIDED: | 53,050 SF PROVIDED (64%) |
2. **SHADE TREE AREA:** ALL PROPERTIES SHALL PROVIDE SHADE TREES AT A RATIO OF NINE (9) TREES PER ACRE (43,560 SF) OF GROSS LOT AREA.
- | | |
|--|-------------------|
| TOTAL LOT (LIMIT OF CONSTRUCTION) AREA (86,545 SF) = | 1.99 ACRES |
| TOTAL NUMBER OF TREES REQUIRED: 1.99 ACRES X 9 (2.5" CAL.) TREES = | 18 TREES REQUIRED |
| 0 EXISTING TREES = | 0 TREES |
| 20 (2.5 CAL.) TREES = | 20 TREES |
| TOTAL NUMBER OF TREES PROVIDED: | 20 TREES PROVIDED |

ARTICLE 9, G. NONRESIDENTIAL AND MULTIFAMILY LANDSCAPE BUFFER REQUIREMENTS

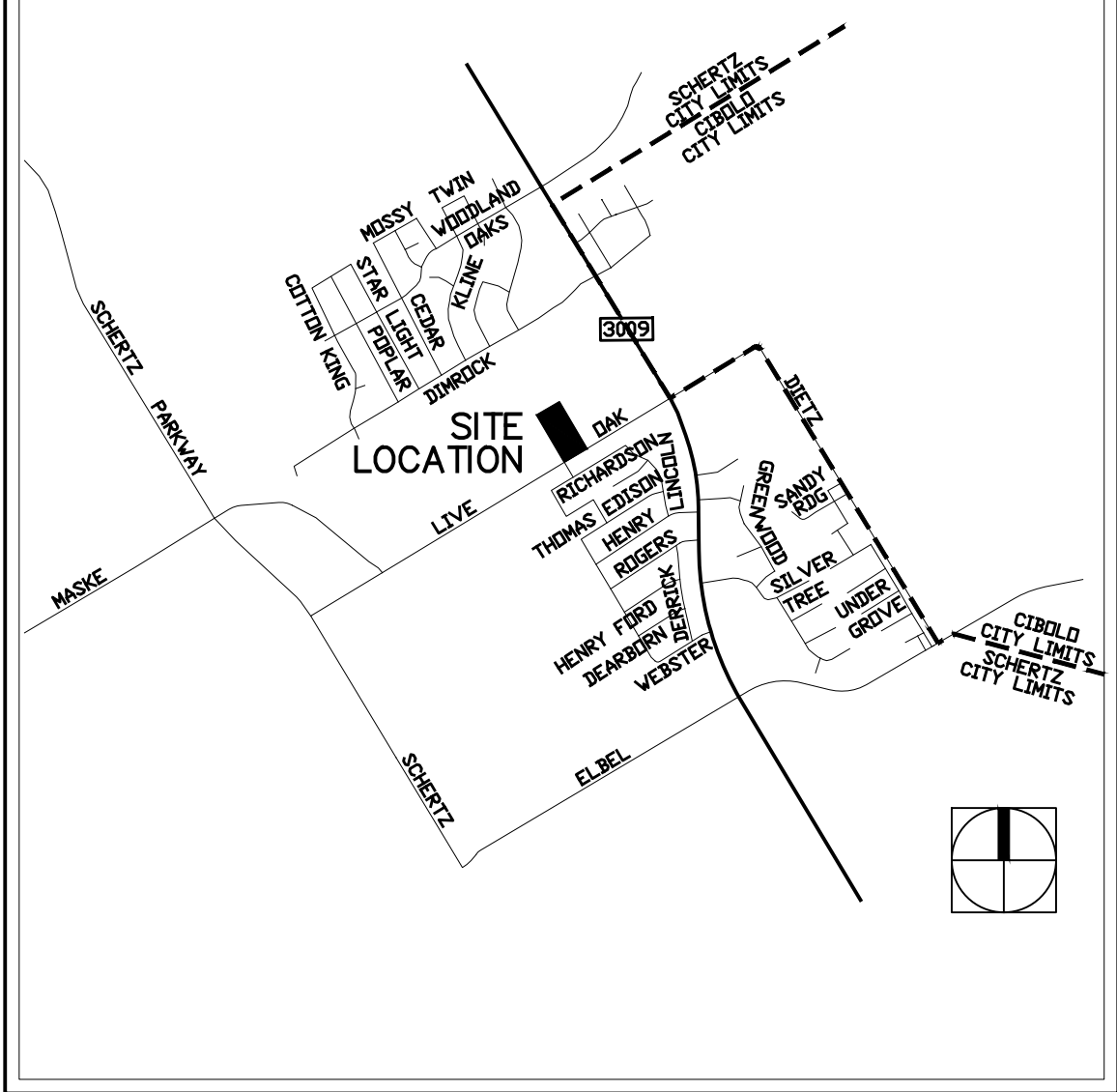
1. A NONRESIDENTIAL OR MULTIFAMILY USE ADJACENT TO A RESIDENTIAL ZONE PROPERTY SHALL PROVIDE A MINIMUM TWENTY FOOT (20') LANDSCAPE BUFFER ADJACENT TO THE PROPERTY LINE OF THE RESIDENTIAL USE OR RESIDENTIALLY ZONED PROPERTY. A MINIMUM OF ONE (1) SHADE TREE SHALL BE PLANTED FOR EACH THIRTY LINEAR FEET (30') OF LANDSCAPE BUFFER. A MINIMUM OF TEN (10) SHRUBS SHALL BE PLANTED FOR EACH FIFTY LINEAR FEET (50') OF LANDSCAPE BUFFER. ALL OTHER AREAS WITHIN THE LANDSCAPE BUFFER SHALL BE COVERED WITH GRASS OR ANOTHER SOLID VEGETATIVE COVER APPROVED AT THE TIME OF SITE PLAN APPROVAL.
- TOTAL LINEAR FEET ABUTTING R-1 @ 20' REQUIRED WIDTH = 190 LF
- A. A MINIMUM OF ONE (1) SHADE TREE SHALL BE PLANTED FOR EACH 30 LINEAR FEET OF LANDSCAPE BUFFER.
- | | |
|---|-------------------------------|
| TOTAL NUMBER OF LANDSCAPE BUFFER TREES REQUIRED = | 6 SHADE TREES |
| TOTAL NUMBER OF LANDSCAPE BUFFER TREES PROVIDED = | 10 SHADE TREES (W/4 EXISTING) |
- B. A MINIMUM OF TEN (10) SHRUBS SHALL BE PLANTED FOR EACH 50 LINEAR FEET OF LANDSCAPE BUFFER.
- | | |
|--|-----------|
| TOTAL NUMBER OF LANDSCAPE BUFFER SHRUBS REQUIRED = | 38 SHRUBS |
| TOTAL NUMBER OF LANDSCAPE BUFFER SHRUBS PROVIDED = | 50 SHRUBS |

ARTICLE 9, H. PARKING AREA LANDSCAPING

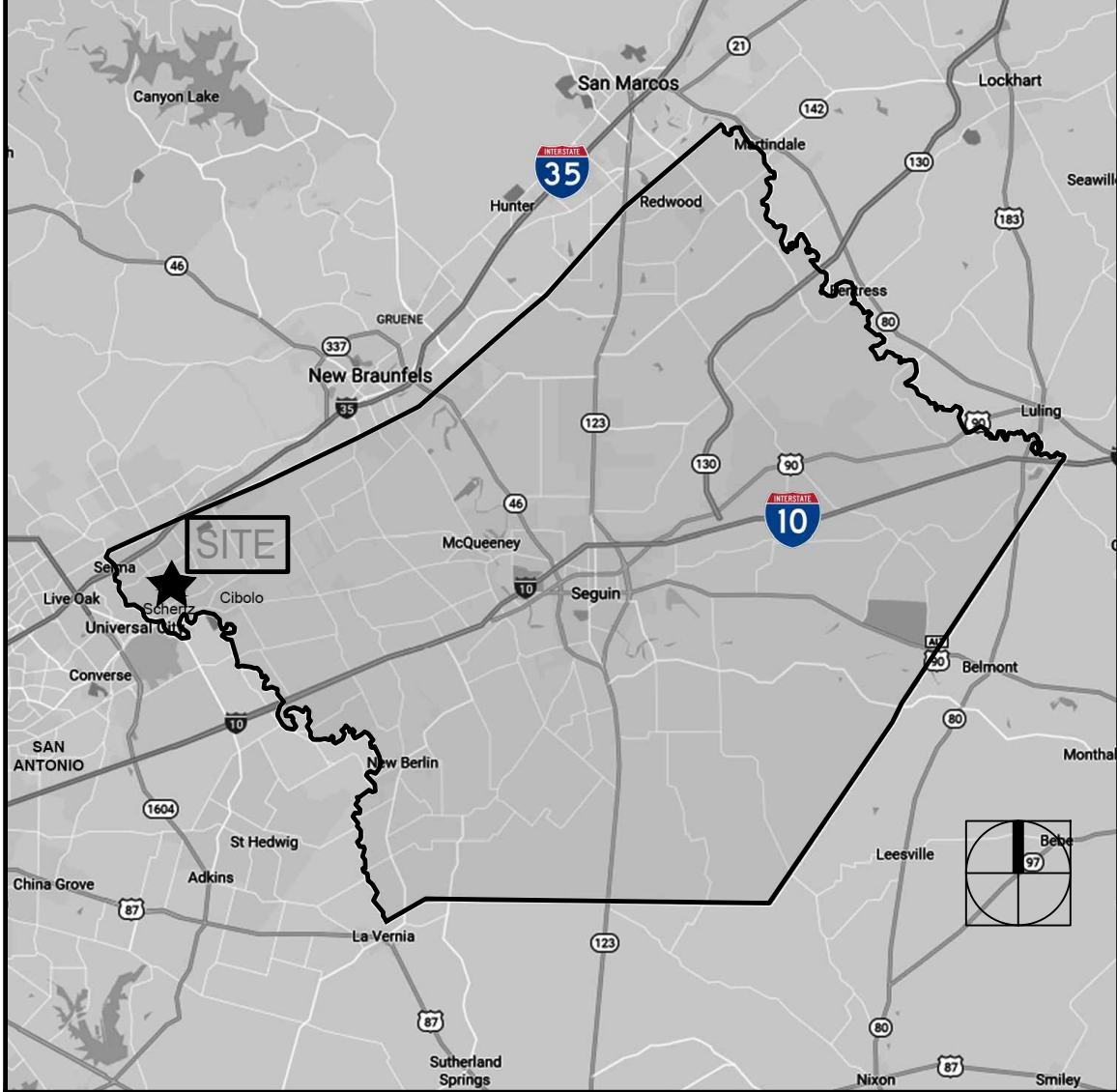
1. **INTERIOR LANDSCAPING:** A MINIMUM OF TEN PERCENT (10%) OF THE GROSS PARKING AREAS SHALL BE DEVOTED TO LIVING LANDSCAPING WHICH INCLUDES GRASS, GROUNDCOVERS, PLANTS SHRUBS AND TREES. GROSS PARKING AREA IS TO BE MEASURED FROM THE EDGE OF THE PARKING AND/OR DRIVEWAY AND SIDEWALKS.
- TOTAL PARKING AREA = 2,217 SF @ 10% = 222 SF REQUIRED
- INTERIOR LANDSCAPE AREA PROVIDED: 268 SF PROVIDED
- A. A MINIMUM OF ONE (1) SHADE TREE PLANTED FOR EACH 400 SQUARE FEET OR FRACTION THEREOF OF REQUIRED INTERIOR LANDSCAPE AREA.
- | | |
|---|---------------|
| TOTAL NUMBER OF INTERIOR LANDSCAPE TREES REQUIRED = | 1 SHADE TREES |
| TOTAL NUMBER OF INTERIOR LANDSCAPE TREES PROVIDED = | 2 SHADE TREES |

NOTE: ALL REQUIRED LANDSCAPE AREAS SHOULD BE MAINTAINED WITH AN AUTOMATIC UNDERGROUND IRRIGATION SYSTEM

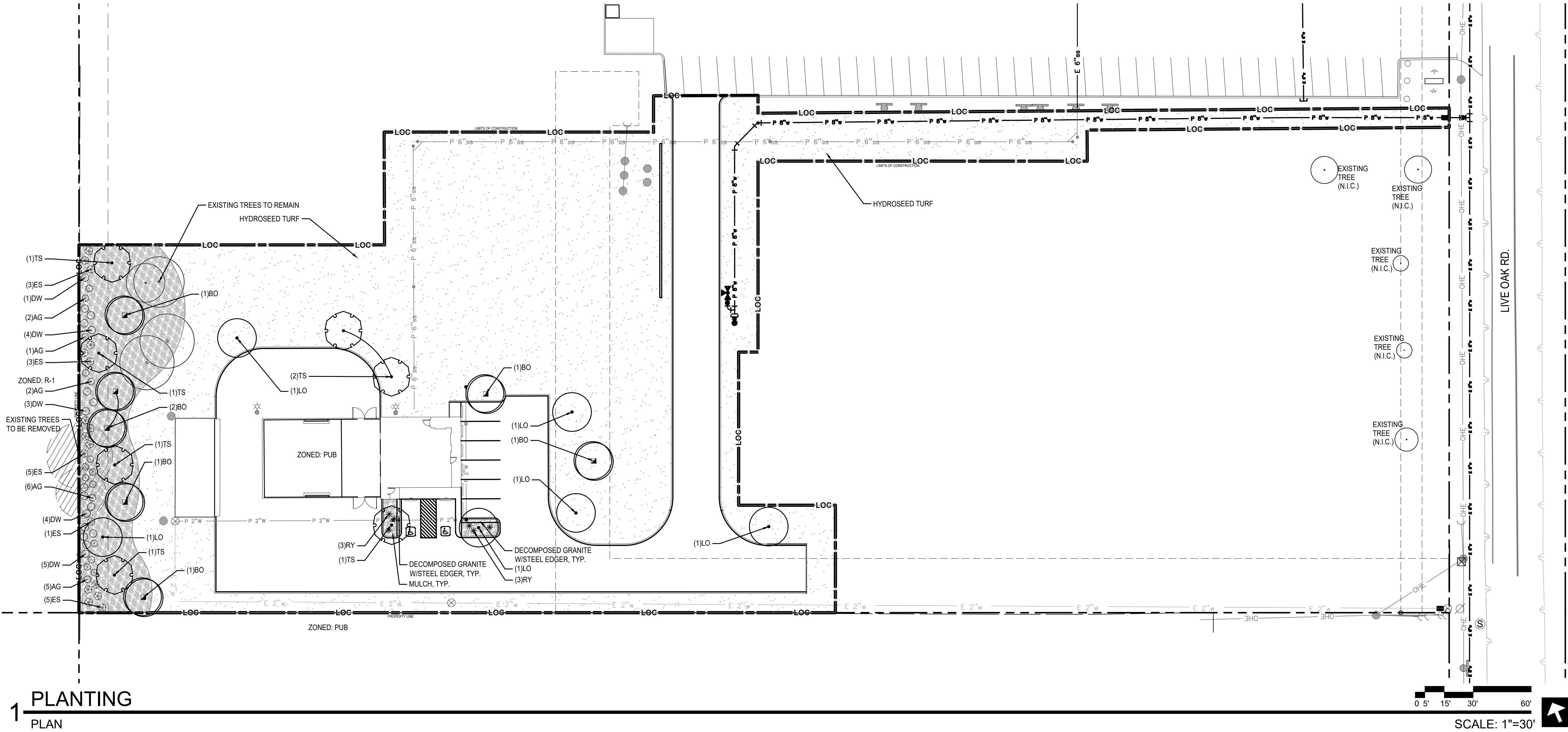
LOCATION MAP



GUADALUPE COUNTY MAP



- LEGEND**
- | | | |
|--------------------|----------------|-------------------------------|
| P.P. POWER POLE | GAS METER | L.P. LIGHT POLE |
| FIRE HYDRANT | M.BOX MAIL BOX | TxDOT MONUMENT |
| WATER METER | SIGN | ELECT. PANEL |
| TELEPHONE PEDESTAL | WOODEN POLE | JUNCTION BOX |
| WATER VALVE | BENCHMARK | 360.20' TOP OF CURB ELEVATION |
| EXISTING TREE | GUY WIRE | |
| MANHOLE | IRON ROD FOUND | |



1 PLANTING PLAN



201 GROVETON | SATX 78210
210.314.5582 | MPSTUD.IO



PROJECT

GOOD SHEPHERD
CATHOLIC CHURCH
LOT 1, BLOCK 1

PROJECT ADDRESS

1065 E. LIVE OAK RD.
SCHERTZ, TEXAS 78154

OWNER | CLIENT

GOOD SHEPHERD CHURCH

1065 E. LIVE OAK RD.
SCHERTZ, TEXAS 78154

OWNER'S REPRESENTATIVE

HARRY BENNETT

210.885.4240

hbschertz@yahoo.com

SUBCONSULTANT

REVISIONS

NO.	DATE	DESCRIPTION
1	04.26.22	PERMIT ISSUE
2	09.14.22	PERMIT REVISIONS

ISSUE SETS

NO.	DATE	DESCRIPTION
1	04.26.22	PERMIT ISSUE
2	09.14.22	PERMIT REVISIONS

SHEET INFORMATION

PROJECT NO.

21093

DATE ISSUED

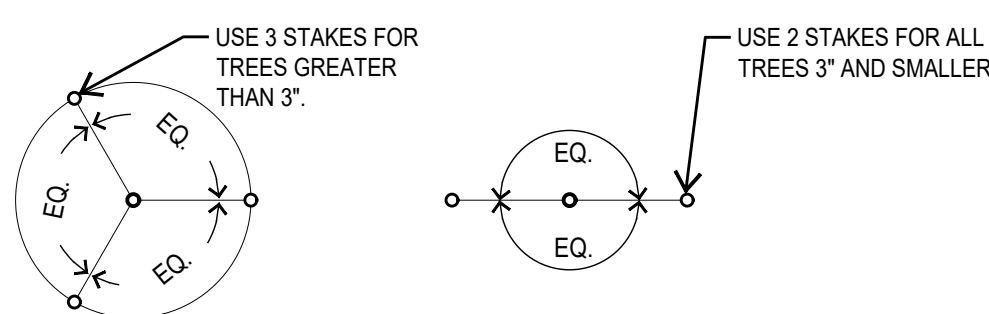
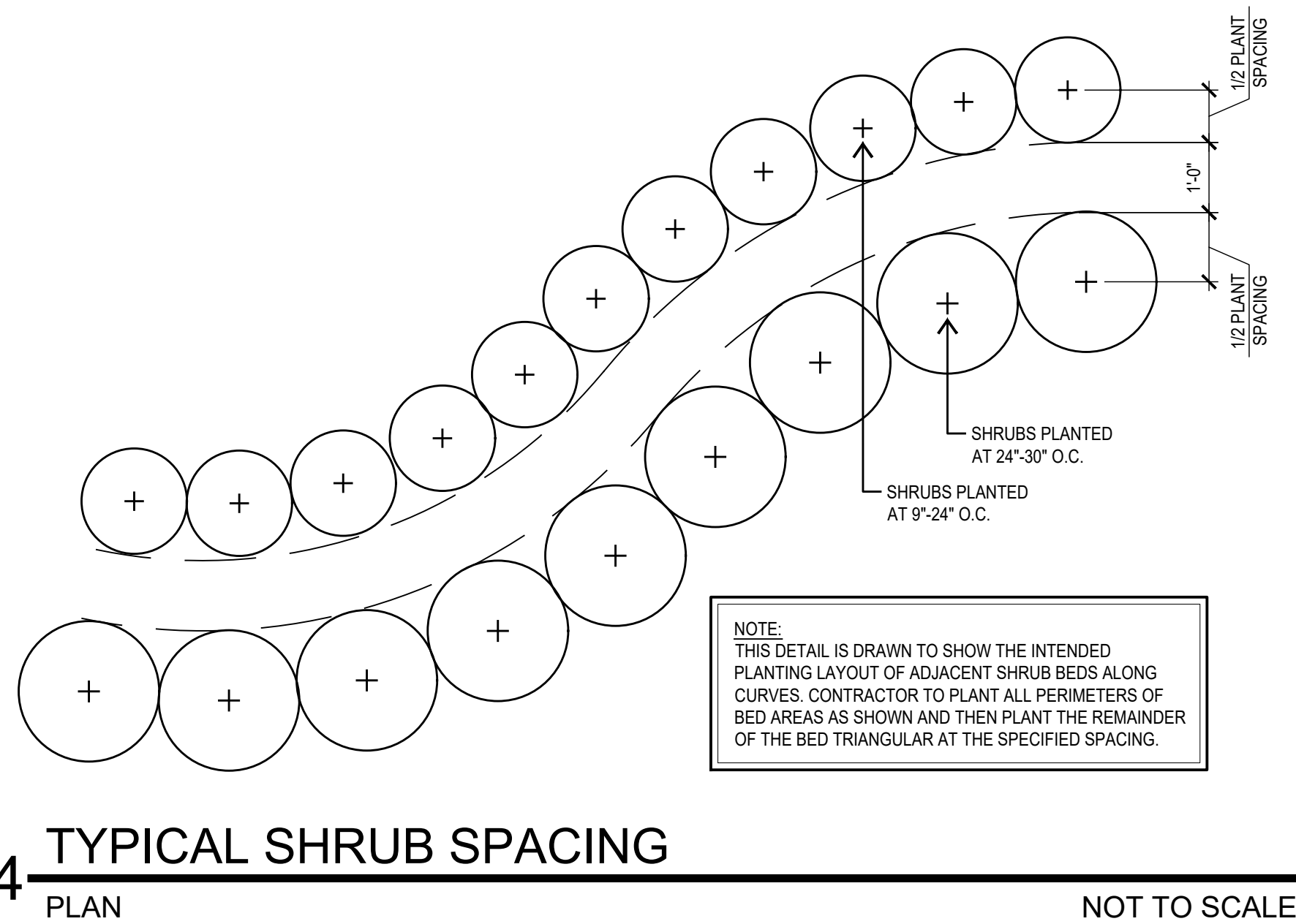
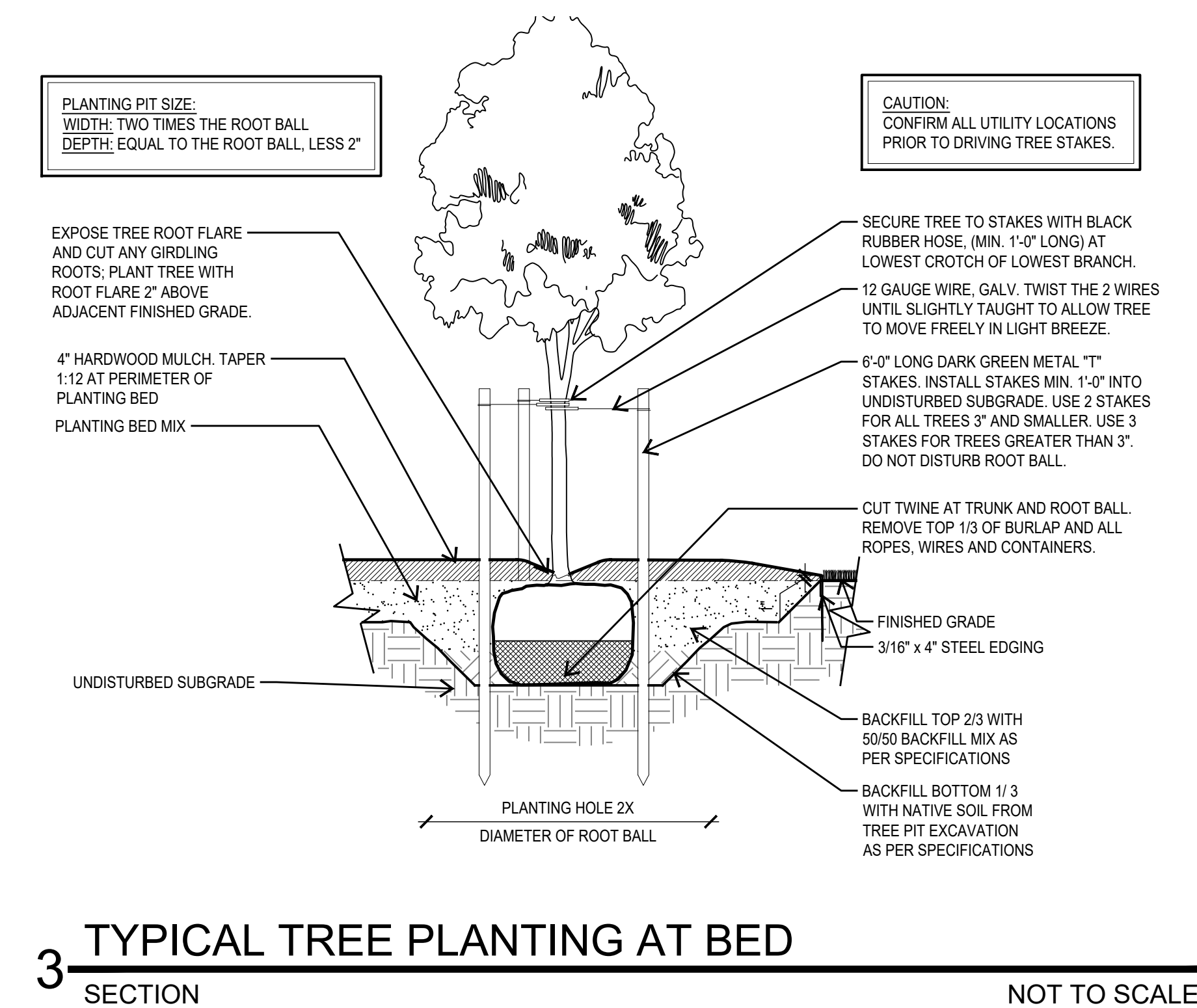
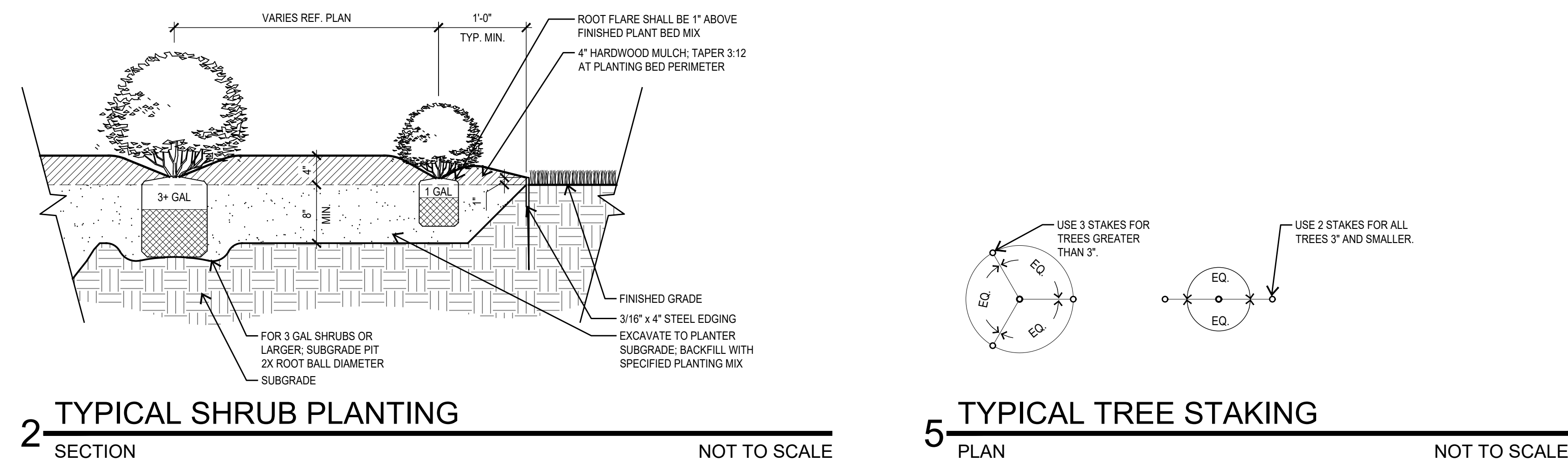
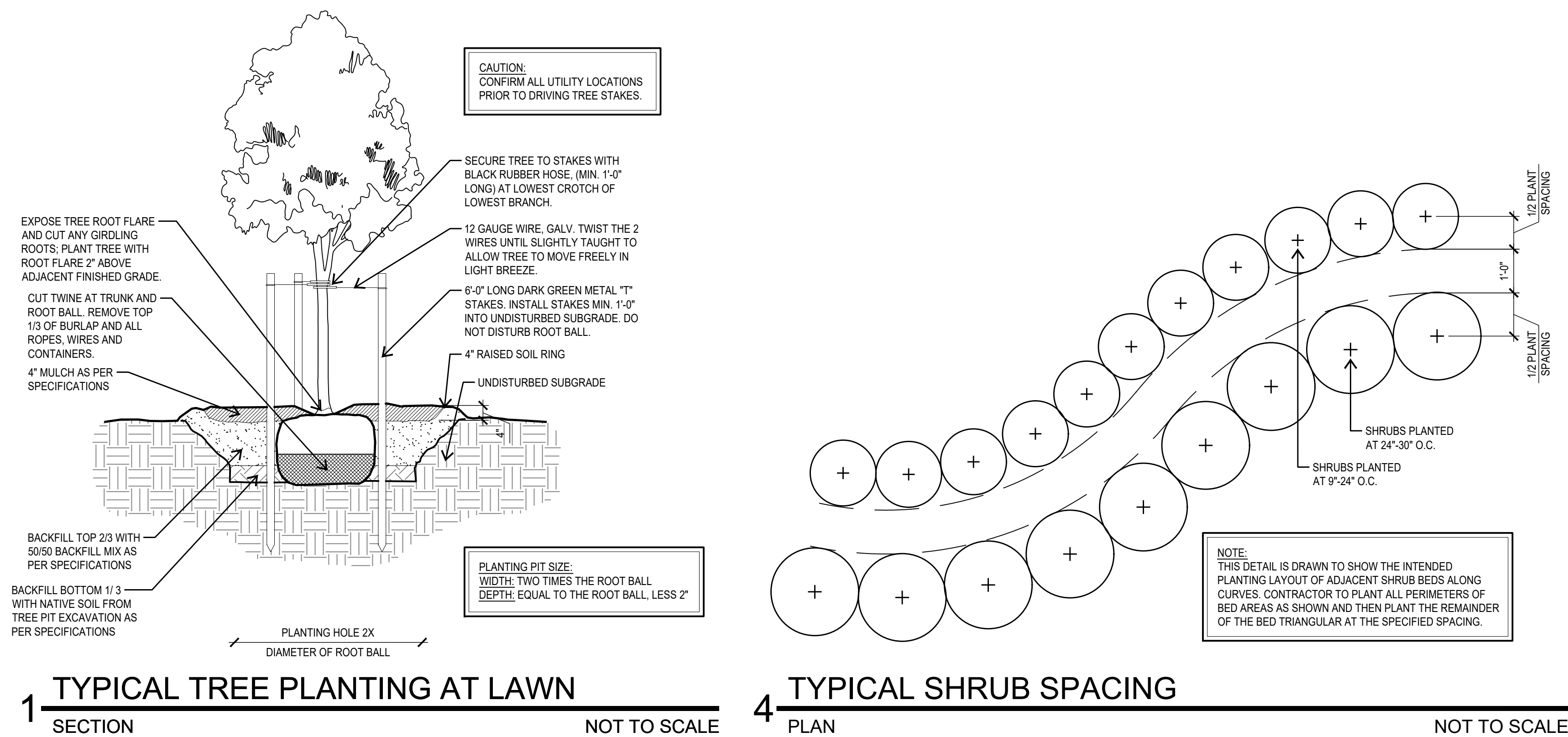
SEPTEMBER 14, 2022

SHEET NAME

LANDSCAPE PLAN

SHEET NUMBER

LP 1.1



PLANT LIST

TREES				
CALLOUT	QUANTITY	COMMON NAME BOTANICAL NAME	SIZE	REMARKS
BO	7	BUR OAK <i>QUERCUS MACROCARPA</i>	2.5" CAL.; MIN 8' HT; MIN 4" SPRD.	SINGLE TRUNK B&B OR CONTAINER; STRAIGHT TRUNK WITH FULL & UNIFORM CANOPY; PARK GRADE NOT ACCEPTABLE
LO	6	LIVE OAK <i>QUERCUS VIRGINIANA</i>	2.5" CAL.; MIN 8' HT; MIN 4" SPRD.	SINGLE TRUNK B&B OR CONTAINER; STRAIGHT TRUNK WITH FULL & UNIFORM CANOPY; PARK GRADE NOT ACCEPTABLE
TS	7	TEXAS SYCAMORE <i>PLATANUS OCCIDENTALIS</i>	2.5" CAL.; MIN 8' HT; MIN 4" SPRD.	SINGLE TRUNK B&B OR CONTAINER; STRAIGHT TRUNK WITH FULL & UNIFORM CANOPY; PARK GRADE NOT ACCEPTABLE

SHRUBS				
CALLOUT	QUANTITY	COMMON NAME BOTANICAL NAME	SIZE	REMARKS
AG	16	AGARITA <i>MAHONIA TRIFOLIOLATA</i>	5 GAL.; 30" HT. 24" SPRD.	DARK GREEN; FULL; PLANT 48" O.C.
DW	17	DWARF WAX MYRTLE <i>MYRICA PUSILLA</i>	5 GAL.; 30" HT. 24" SPRD.	GREEN; FULL; PLANT 48" O.C.
ES	17	EVERGREEN SUMAC <i>RHUS VIRENS</i>	5 GAL.; 30" HT. 24" SPRD.	DARK GREEN; FULL; PLANT 48" O.C.
RY	6	RED YUCCA <i>HESPERALOE PARVIFLORA</i>	3 GAL.; 18" HT. 18" SPRD.	LIGHT GREEN; FULL; PLANT 36" O.C.

GROUND COVER				
CALLOUT	QUANTITY	COMMON NAME BOTANICAL NAME	SIZE	REMARKS
MULCH	FIELD VERIFY	HARDWOOD MULCH	STANDARD	4" THICK PER DETAILS; LOCAL SOURCE
DECOMPOSED GRANITE	FIELD VERIFY	DECOMPOSED GRANITE	STANDARD	4" THICK WITH STEEL EDGER SEPARATION
HYDROSEED	FIELD VERIFY	COMMON BERMUDA GRASS CYNODON DACTYLON	HYDROSEED	2 LBS. SEED/1,000 SF; LOCAL SOURCE



201 GROVETON | SATX 78210
210.314.5582 | MPSTUD.IO



09-14-2022

PROJECT

**GOOD
SHEPHERD**
CATHOLIC CHURCH
LOT 1, BLOCK 1

PROJECT ADDRESS

1065 E. LIVE OAK RD.
SCHERTZ, TEXAS 78154

OWNER | CLIENT

GOOD SHEPHERD CHURCH

1065 E. LIVE OAK RD.
SCHERTZ, TEXAS 78154

OWNER'S REPRESENTATIVE

HARRY BENNETT

210.885.4240

hbschertz@yahoo.com

SUBCONSULTANT[illegible]

SHEET INFORMATION
PROJECT NO.
21093
DATE ISSUED
SEPTEMBER 14, 2022
SHEET NAME

**PLANT LIST &
DETAILS**
SHEET NUMBER

LP 2.1



09-14-2022

PROJECT

GOOD SHEPHERD CATHOLIC CHURCH LOT 1, BLOCK 1

PROJECT ADDRESS

1065 E. LIVE OAK RD.
SCHERTZ, TEXAS 78154

OWNER | CLIENT

GOOD SHEPHERD CHURCH

1065 E. LIVE OAK RD.
SCHERTZ, TEXAS 78154

OWNER'S REPRESENTATIVE

HARRY BENNETT
210.885.4240
hbschertz@yahoo.com

SUBCONSULTANT

REVISIONS

ISSUE SETS

NO.	DATE	DESCRIPTION
1	04.26.22	PERMIT ISSUE
2	09.14.22	PERMIT REVISIONS

SHEET INFORMATION

PROJECT NO.

21093

DATE ISSUED

SEPTEMBER 14, 2022

SHEET NAME

PLANTING NOTES

SHEET NUMBER

LP 2.2

GENERAL LANDSCAPE NOTES

PART 1 :

LANDSCAPE CONTRACTOR SHALL ACCEPT THE SITE IN ITS EXISTING CONDITION AND SHALL TIE NEW WORK TO EXISTING CONDITIONS AND CONTROLS (SUCH AS EXISTING GRADES AND WALK ELEVATIONS) AS NECESSARY TO MEET THE INTENT OF THE PLANS.

BEFORE PROCEEDING WITH ANY WORK IN AN AREA, LANDSCAPE CONTRACTOR SHALL VERIFY ALL DIMENSIONS, LAYOUTS AND SIZES AND SHALL NOTIFY LANDSCAPE ARCHITECT OF ANY DISCREPANCIES BETWEEN PLANS AND ACTUAL SITE CONDITIONS. IF ANY UTILITIES OR OBSTRUCTIONS ARE DISCOVERED DURING CONTRACT WHICH MAY NOT HAVE BEEN KNOWN DURING DESIGN, CONTRACTOR SHALL STOP WORK AND IMMEDIATELY NOTIFY LANDSCAPE ARCHITECT BEFORE PRECEDING. LANDSCAPE CONTRACTOR SHALL BE LIABLE FOR ALL MODIFICATIONS AND DAMAGE IF WORK PROCEEDS IN EITHER OF THE ABOVE SITUATIONS WITHOUT NOTIFYING LANDSCAPE ARCHITECT.

PRIOR TO ANY EXCAVATION, LANDSCAPE CONTRACTOR SHALL CONTACT APPROPRIATE AUTHORITIES INCLUDING, BUT NOT LIMITED TO, TEXAS ONE CALL SYSTEM AT 1-800-245-4545 TO LOCATE EXISTING UNDERGROUND UTILITIES.

LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL COSTS ASSOCIATED WITH ANY DAMAGE TO ANY UTILITIES OR PROPERTY THAT MAY OCCUR IN THE EXECUTION OF HIS CONTRACT WORK. WHEN WORK REQUIRES CROSSING EXISTING WALKS OR CURBS WITH EQUIPMENT, LANDSCAPE CONTRACTOR SHALL PROVIDE APPROVED BRIDGE MATERIAL SUCH AS WOOD PLANKS AND EARTH TO PREVENT DAMAGE TO FINISHED WORK. LANDSCAPE CONTRACTOR SHALL COORDINATE HIS WORK WITH OTHER CONTRACTORS THAT MAY BE WORKING ON THE SITE SIMULTANEOUSLY AND SHALL COORDINATE STAGING OF HIS WORK WITH OWNER AND LANDSCAPE ARCHITECT. ALL TRASH AND DEBRIS GENERATED FROM CONTRACT OPERATIONS SHALL BE REMOVED ON A DAILY BASIS. ALL WORK SHALL BE IN COMPLIANCE WITH ALL APPLICABLE CODES AND ORDINANCES. LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR JOB SITE SAFETY IN CONJUNCTION WITH HIS CONTRACT WORK.

REFERENCES

- A.) AMERICAN NATIONAL STANDARDS INSTITUTE (ANSI) Z60.1 - NURSERY STOCK.
B.) TEXAS STATE DEPARTMENT OF AGRICULTURE (TDA) - NURSERY FLORAL LICENSING PROGRAM.

1.1 SUBMITTALS FOR REVIEW

A.) PRODUCT DATE: LIST OF CHEMICALS TO BE USED ON SITE.

B.) SAMPLES:

- 1 QUART SAMPLES OF EACH SOIL AMENDMENT WITH ANALYTICAL DATA FROM A RECOGNIZED TESTING LABORATORY SHOWING MANUFACTURER'S GUARANTEED ANALYSIS.
- 1 CUBIC FOOT SAMPLES OF PREMIXED BACKFILL MIXES.

C.) TEST RESULTS:

- PROVIDE SOIL SAMPLE TEST RESULTS INDICATING PH, FERTILITY LEVELS, AND PERCENTAGES OF SAND, SILT, AND CLAY.
- PROVIDE RECOMMENDATIONS FOR SOIL AMENDMENTS AND FERTILIZERS BASED ON SOIL ANALYSIS; FOR CONTRACT PURPOSES, USE MIXTURE SPECIFIED IN THIS SECTION.

D.) NURSERY QUALIFICATIONS: COMPANY SPECIALIZING IN GROWING AND CULTIVATING PLANTS SPECIFIED IN THIS SECTION WITH MINIMUM THREE YEAR DOCUMENTED EXPERIENCE, AND CERTIFIED BY THE STATE OF TEXAS.

E.) INSTALLER QUALIFICATIONS:

- COMPANY SPECIALIZING IN LANDSCAPE INSTALLATION WITH MINIMUM THREE YEARS DOCUMENTED EXPERIENCE.
- PROVIDE FULL-TIME SUPERINTENDENT ON-SITE DURING INSTALLATION.

F.) PLANT MATERIALS:

- PLANT MATERIALS ARE SUBJECT TO EXAMINATION BY LANDSCAPE ARCHITECT AT PLACE OF GROWTH OR UPON DELIVERY TO PROJECT.

1.2 DELIVERY, STORAGE AND HANDLING

- A.) DELIVER FERTILIZER IN WATERPROOF BAGS SHOWING WEIGHT, GUARANTEED CHEMICAL ANALYSIS, MANUFACTURER AND BRAND NAME, AND APPROVALS OF AUTHORITIES HAVING JURISDICTION.
- B.) DELIVER PLANT MATERIAL WITH IDENTIFICATION TAG SHOWING BOTANICAL NAME AND PLANT SIZE.
- C.) DELIVER PLANT MATERIAL IMMEDIATELY PRIOR TO INSTALLATION; PLANT MATERIALS ON SAME DAY AS DELIVERED, IF PLANTING CANNOT BE ACCOMPLISHED ON SAME DAY AS DELIVERY, PROVIDE ADDITIONAL PROTECTION TO MAINTAIN PLANTS IN HEALTHY AND VIGOROUS CONDITION.
- D.) KEEP PLANT MATERIAL MOIST AND PROTECT FROM DAMAGE AND DESICCATION OF LEAVES UNTIL PLANTING.
- E.) DO NOT HANDLE PLANT MATERIALS BY STEM OR TRUNK.
- F.) KEEP CONTAINERS INTACT UNTIL JUST PRIOR TO PLANTING.

1.3 SEQUENCING

A.) INSTALL TREES, SHRUBS, AND LINER STOCK PLANT MATERIALS PRIOR TO INSTALLATION OF LAWNS.

1.4 WARRANTY

- A.) FURNISH WRITTEN WARRANTY THAT PLANT MATERIALS WILL BE IN HEALTHY, VIGOROUS, GROWING CONDITION ONE (1) YEAR AFTER FINAL ACCEPTANCE. DAMAGE DUE TO ACTS OF GOD, VANDALISM, OR NEGLIGENCE BY OWNER IS EXCLUDED.
- B.) REPLACE DEAD, UNHEALTHY AND UNSIGHTLY PLANT MATERIALS WITHIN WARRANTY PERIOD, UPON NOTIFICATION BY OWNER OR LANDSCAPE ARCHITECT.
- C.) NOTIFY OWNER AND LANDSCAPE ARCHITECT 30 DAYS PRIOR TO EXPIRATION OF WARRANTY PERIOD AND ARRANGE FINAL ACCEPTANCE INSPECTION BY ALL PARTIES.
- REMOVE DEAD, UNHEALTHY, AND UNSIGHTLY PLANT MATERIALS.
 - REMOVE GUYING AND STAKING MATERIALS.
 - WARRANT REPLACEMENT PLANTS UNDER SAME PROVISIONS AND FOR SAME TIME PERIOD AS ORIGINAL PLANTS.

1.5 MAINTENANCE

- MAINTAIN PLANT LIFE IMMEDIATELY AFTER PLACEMENT AND FOR NINETY (90 DAYS) AFTER FINAL ACCEPTANCE...
- REPLACE DEAD OR DYING PLANTS WITH PLANTS OF SAME SIZE AND SPECIES SPECIFIED.
- REMOVE TRASH, DEBRIS, AND LITTER, WATER, PRUNE, FERTILIZE, WEED, AND MOW. SPOT APPLY HERBICIDES, AND FUNGICIDE ONLY AS REQUIRED.
- REMOVE CLIPPINGS AND DEBRIS FROM SITE PROMPTLY.
- COORDINATE WITH OPERATION OF IRRIGATION SYSTEM TO ENSURE THAT PLANTS ARE ADEQUATELY WATERED. HAND WATER AREAS NOT RECEIVING ADEQUATE WATER FROM IRRIGATION SYSTEM.
- RESET SETTLED PLANTS.
- REAPPLY MULCH TO BARE AND THIN AREAS.

1.6 MATERIALS

A.) PLANT MATERIALS:

- CERTIFIED IN ACCORDANCE WITH TDA REQUIREMENTS.
- SPECIES AND SIZE AS INDICATED IN PLANT SCHEDULE. LARGER SIZE MAY BE SUBSTITUTE WITHOUT ADDITIONAL COST TO OWNER, PROVIDED ROOT BALL OR SPREAD INCREASES PROPORTIONATELY.
- WHERE MATERIALS ARE PLANTED IN MASSES, PROVIDE PLANTS OF UNIFORM SIZE.
- GROWN IN CLIMATIC CONDITIONS SIMILAR TO THOSE AT SITE. FREE FROM DISEASE, INSECT INFESTATIONS, DEFECTS INCLUDING WEAK OR BROKEN LIMBS, CROTCHES, AND DAMAGED TRUNKS, ROOTS OR LEAVES, SUN SCALD, FRESH BARK ABRASIONS, EXCESSIVE ABRASIONS, AND OBJECTIONABLE DISFIGUREMENTS. EXHIBIT NORMAL GROWTH HABITS; VIGOROUS, HEALTHY, FULL, WELL-PROPORTIONED, AND SYMMETRICAL.
- TREE TRUNKS TO BE STURDY AND EXHIBIT HARDENED SYSTEMS AND VIGOROUS AND FIBROUS ROOT SYSTEMS, NOT ROOT OR POT BOUND.
- NOT PRUNED, TRIMMED, OR TOPPED.
- CONTAINER-GROWN STOCK: GROWN IN CONTAINERS FROM SEEDING.

B.) TOPSOIL:

- USE SITE GENERATED SOIL FROM PLANTING PREPARATIONS, REASONABLY FREE FROM CLAY LUMPS, COARSE SANDS, STONES, ROOTS, FOREIGN MATTER.
- IF SUFFICIENT ON-SITE MATERIALS DO NOT EXIST, PROVIDE SIMILAR OFF-SITE TOPSOIL FROM APPROVED LOCAL SOURCE. SUBMIT SAMPLE AND SOURCE FOR APPROVAL PRIOR TO DELIVERY OF ANY SOIL TO SITE.

C.) MULCH:

- SHREDDED, COMPOSTED HARDWOOD BARK OF VARYING LENGTH BY NEW EARTH LLC, ph. 210-6615180 OR APPROVED SUBSTITUTE, PARTIALLY DECOMPOSED; FREE FROM STICKS, STONES, CLAY, AND GROWTH AND GERMINATION-INHIBITING INGREDIENTS.

D.) SOIL AMENDMENTS:

- SOIL SULFUR: AGRICULTURAL GRADE SULFUR CONTAINING MINIMUM 99 PERCENT SULFUR EXPRESSED AS ELEMENTAL.
- IRON SULFATE: 20 PERCENT IRON EXPRESSED AS METALLIC IRON DERIVED FROM FERRIC AND FERROUS SULFATE AND 10 PERCENT SULFUR EXPRESSED AS ELEMENTAL. WHEN REQUIRED BY SOIL TESTS.
- GYPSUM: AGRICULTURAL GRADE, CONTAINING MINIMUM 98 PERCENT CALCIUM SULFATE, WHEN REQUIRED BY SOIL TEST.
- HERBICIDE: PRE-EMERGENT TYPE; SURFLAN OR APPROVED SUBSTITUTE.
- FERTILIZER FOR TREES AT PLANTING: PLANT HEALTH CARE GROUP "PHC TREE SAVER" APPLIED AS PER P.H.C.G. DIRECTIONS AND APPLICATION RATES.
- FERTILIZER FOR LAWN: PLANT HEALTH CARE GROUP "PHC FOR TURF 15-1-6" APPLIED AT A RATE OF SEVEN (7) POUNDS PER 1,000 SQUARE FEET.
- SOIL INOCULATES FOLLOWING TREE PLANTING: PLANT HEALTH CARE GROUP "PHC INJECTABLE INOCULANT FOR TREES" APPLIED AS PER PHCG MIXING DIRECTIONS AND APPLICATION RATES.
- FERTILIZER FOR PLANTER BED MIX: PLANT HEALTH CARE GROUP "HEALTHY START 3-4-3" APPLIED AT A RATE OF 25 POUNDS CUBIC YARD OF PLANT BED MIX.

H.) TURF:

- ALL SEED USED SHALL BE HIGH QUALITY, EXTRA FANCY, TREATED LAWN TYPE SEED AT 98% PURITY AND 85% GERMINATION. ANY SEED SHALL BE FURNISHED IN SEALED STANDARD CONTAINERS WITH SIGNED COPIES OF A STATEMENT FROM THE VENDOR CERTIFYING THAT EACH CONTAINER OF SEED DELIVERED IS FULLY LABELED IN ACCORDANCE WITH THE TEXAS STATE AGRICULTURAL CODE AND IS EQUAL TO OR BETTER THAN THE REQUIREMENT OF THESE SPECIFICATIONS. LAWN SEED TO BE FREE OF WEEDS OR NOXIOUS GRASS SEEDS.
- SEED WHICH HAS BECOME WET, MOLDY OR OTHERWISE DAMAGED IN TRANSIT OR STORAGE WILL NOT BE ACCEPTED.
- GRASS SEED SCHEDULE:
 - BERMUDA GRASS SEED:
 - MARCH-OCTOBER SHALL BE SPECIFIED BERMUDA.
 - OCTOBER-MARCH SHALL BE ANNUAL RYE GRASS.
 - "HYDRO-MULCH" AS MANUFACTURED BY CONVED, OR APPROVAL EQUAL.
- THE HYDO-MULCH SHALL BE COMPOSED OF WOOD CELLULOSE FIBER AND CONTAIN NO GERMINATION OR GROWTH-INHIBITING FACTORS.
- HYRO-SEEDING ADDITIVE (BINDER); ECOLOGY CONTROL-M BINDER ORGANIC SEEDING ADDITIVE.
- SOD: PROVIDE FULL, DARK GREEN, UNIFORM, STRONGLY ROOTED SOD IN 16" X 24" STRIPS FREE FROM WEEDS, UNDESIRABLE GRASSES, DISEASES AND PESTS. SOD SHALL BE CUT FROM THE FIELD NO LONGER THAN 48 HOURS BEFORE PLANTING. ROOTS OF SOD SHALL BE KEPT MOIST.
- BRACING: TREE ANCHORS SHALL BE AS PER DETAILS.
- TREE PAINT: MORRISON TREE SEAL, CABOT TREE PAINT, OR OTHER PRODUCT APPROVED BY LANDSCAPE ARCHITECT.
- PLANTER BED EDGING SHALL BE 3/16"X 4" STEEL EDGING WITH MANUFACTURERS STANDARD GREEN FINISH.

F.) MIXES:

- PLANT BED MIX:
PLANT BED MIX (BACKFILL MIX) SHALL BE NEW EARTH'S 4 WAY MIX AS PRODUCED BY NEW EARTH LLC, PH. 210-661-5180. DOCUMENTATION OF PURCHASE OF THIS SPECIFIC MIX SHALL BE SUBMITTED TO LANDSCAPE ARCHITECT. IF EQUAL IS PROPOSED, CONTRACTOR SHALL SUBMIT SAMPLE AND COMPLETE ANALYSIS WITH TEST RESULTS AND METHOD OF PRODUCTION FOR EVALUATION AS AN EQUAL SUBSTITUTE.

PART 2 EXECUTION:

2.1 PREPARATION

LANDSCAPE CONTRACTOR SHALL RECEIVE THE SITE AT APPROXIMATELY FINISH GRADE LESS ANY SETTLEMENT THAT MAY HAVE OCCURRED SINCE SITE CONSTRUCTION AND BACKFILLING. THIS GRADE SHALL BE RAKED TO REMOVE ALL DEBRIS INCLUDING STICKS, CLODS, AND STONES AND SHALL BE FINE GRADED TO ELIMINATE ALL HUMPS, RUTS, DEPRESSIONS AND ABRUPT CHANGES IN GRADE AND ANY AREA THAT COULD CAUSE WATER TO POND.

A.) IF VEGETATION IS GROWING IN PLANTING/LAWN AREA, APPLY HERBICIDE AT RATES RECOMMENDED BY MANUFACTURER. ALLOW TO DIE, AND THEN GRUB OUT ROOTS TO MINIMUM 1/2 INCH DEPTH.

B.) MARK LOCATION OF TREES AND OUTLINES OF PLANTS BEDS USING COLORED WOOD STAKES OR FLAGS PRIOR TO BEGINNING PLANTING; OBTAIN LANDSCAPE ARCHITECT'S APPROVAL PRIOR TO PROCEEDING.

2.2 PLANTING TREES AND SHRUBS

- A.) REMOVE CONTAINERS WITHOUT DAMAGE TO ROOTS.
- B.) REMOVE BOTTOM OF PLANT BOXES PRIOR TO PLACING PLANTS; REMOVE SIDES AFTER PLACEMENT AND PARTIAL BACKFILLING. PREVENT DAMAGE TO ROOTS.
- C.) REMOVE UPPER THIRD OF BURLAP FROM BALLED AND BURLAP TREES AFTER PLACEMENT.
- D.) PLACE PLANT UPRIGHT AND PLUMB IN CENTER OF HOLE. PULL ANY WEEDS GROWING IN TREE BALL AND EXPOSE ROOT FLARE (THIS WILL BE THE TOP MOST IDENTIFIABLE ROOT). REMOVE ANY GIRDLING ROOTS AND SET PLANT SO THAT ROOT FLARE IS 1" ABOVE FINISH GRADE. ORIENT PLANTS FOR BEST APPEARANCE. BACKFILL THE BOTTOM 1/3 OF THE EXCAVATION WITH SOIL CUT FROM EXCAVATION OF PIT AND THOROUGHLY WATER THIS SOIL TO SETTLE IN. BACKFILL THE REMAINDER OF THE EXCAVATION WITH A 50/50 MIX OF NEW EARTH'S 4 WAY MIX AND NATIVE SOIL EXCAVATED FROM THE PIT. PLACE PLANT HEALTH CARE GROUP'S "TREE SAVER" IN BACKFILL AS PER P.H.C.G. DIRECTION AND APPLICATION RATES. LIGHTLY TAMP AND WATER SOIL TO REMOVE ALL AIR POCKETS. FOR PLANTS OUTSIDE OF PLANTING BEDS, CONSTRUCT 3 INCH HIGH WATER CONTAINMENT RING AROUND PLANT. SPREAD MULCH TO MINIMUM 4 INCH DEPTH OVER PLANT BASIN.
- E.) ADJUST PLANT HEIGHT IF SETTLEMENT OCCURS AFTER BACKFILL AND STAKE AS DETAILED.
- TWO TO THREE WEEKS FOLLOWING PLANTING, INJECT PLANT HEALTH CARE INJECTABLE INOCULANT AROUND ROOT BALL FOLLOWING MANUFACTURER'S DIRECTIONS AND APPLICATION RATES. CONTACT LANDSCAPE ARCHITECT TO OBSERVE THIS OPERATION.
- F.) TRIM PLANTS TO REMOVE DEAD AND INJURED BRANCHES ONLY. TREAT CUTS OVER 3/4 INCH DIAMETER WITH TREE PAINT.
- G.) BRACE PLANTS OVER 65 GALLONS SIZE IMMEDIATELY AFTER PAINTING:
- FOR TREES 2" CAL. AND GREATER PROVIDE STAKING AS DETAILED. POSITION TO PREVENT HAZARDS TO PEDESTRIANS.
 - DO NOT RESTRICT PLANT MOVEMENT UNDER LIGHT WIND LOADS OR DAMAGE BARK.

2.3 PLANTING MASS SHRUBS, GROUNDCOVERS, AND ANNUALS (SEE DETAILS)

- A.) EXCAVATE PLANT BED TO DEPTH AS DETAILED ON PLANS.
- B.) BACKFILL WITH SPECIFIED 4-WAY MIX AND TILL IN SPECIFIED PLANT HEALTH CARE'S, "HEALTHY START 3-4-3" AT A RATE OF 25 LBS. PER CUBIC YARD OF PLANT BED MIX.
- C.) INSTALL METAL EDGINGS TO SEPARATE ALL PLANTER BEDS FROM TURF AND AT LOCATIONS INDICATED ON PLANS.
- D.) PLACE PLANTS IN STRAIGHT, EVENLY SPACED ROWS AT SPACING INDICATED ON DRAWINGS, TO UNIFORMLY FILL BEDS. USE TRIANGULAR SPACING METHOD UNLESS OTHERWISE INDICATED.
- E.) WATER PLANTS THOROUGHLY IMMEDIATELY AFTER PLANTING. REPAIR SETTLED AREAS.
- F.) ADJUST FINAL GRADES TO 1/2 INCH BELOW ADJACENT PAVING CURBS.
- G.) SPREAD MULCH TO MINIMUM 4 INCH DEPTH OVER PLANTING BEDS AS DETAILED.

2.4 CLEANING AND ADJUSTING

- A.) REMOVE PLANT CONTAINERS, TRASH, RUBBISH, AND EXCESS SOILS FROM SITE DAILY AND AT COMPLETION OF TREE, SHRUBS AND GROUNDCOVER PLANTING.
- B.) REPAIR RUTS, HOLES AND SCARS IN GROWING SURFACE.

2.4 LAWN APPLICATION (AT COMPLETION OF TREE, SHRUB AND GROUNDCOVER PLANTINGS)

A.) COORDINATION:

- HYDROMULCH AND SOD AFTER TREE, SHRUB AND GROUNDCOVER INSTALLATION IS COMPLETE.
- CONTRACTOR TO COORDINATE WITH IRRIGATION CONTRACTOR TO INSURE FUNCTIONAL IRRIGATION SYSTEM PRIOR TO ANY LAWN INSTALLATION.

B.) PREPARATION:

- PRE-PLANT WEED CONTROL:
IF WEEDS EXIST WITHIN PROPOSED LANDSCAPE AREAS AT THE BEGINNING OF WORK, SPRAY WITH A NON-SELECTIVE SYSTEMIC CONTACT HERBICIDE, AS RECOMMENDED AND APPLIED BY AN APPROVED LICENSED APPLICATOR. CLEAR AND REMOVE THESE EXISTING WEEDS UPON HERBICIDE'S COMPLETED ACTION BY GRUBBING OFF ALL PLANTS AT LEAST 1/2"-1" BELOW THE SURFACE OF THE SOIL.
- CONTRACTOR TO SCARIFY GROUND SURFACE TO A MINIMUM 2" DEPTH FOR ALL GRASSES AND REMOVE ALL STICKS, TRASH, ROCKS AND OTHER DEBRIS AND DISPOSE OFF SITE.
- IF EXISTING SOIL IN AN AREA IS FOUND TO BE CONTAMINATED OR OTHERWISE UNSUITABLE, CONTRACTOR SHALL PROVIDE COST PER CUBIC YARD TO REPLACE WITH SOIL SUITABLE FOR TURF.
- CONTRACTOR TO RAKE ENTIRE AREA, LEVELING ANY IMPERFECTIONS IN THE GRADE. LANDSCAPE CONTRACTOR TO ENSURE THAT THERE WILL BE POSITIVE DRAINAGE AND NO PONDING ON SITE. FINISHED GRADE OF LAWN AREAS TO BE 1/2" BELOW TOP OF CURBS, SIDEWALKS AND OTHER PAVEMENTS. REMOVE ANY LARGE (GREATER THAN 1") DIRT CLODS, ROCKS, AND TRASH AND PREPARE A SMOOTH, LEVEL, LOOSE AND COARSE SURFACE. LANDSCAPE ARCHITECT TO APPROVE FINE GRADING PRIOR TO ANY LAWN INSTALLATION. LAWN BED SHALL BE MOIST (BUT NOT MUDDY) TO RECEIVE SEED AND SOD.

C.) HYDROMULCH APPLICATION:

- FOR ALL HYDROMULCH AREAS, INSTALL SOD STRIPS OF BERMUDA GRASS AT ALL BACKS OF CURBS WITHIN THE LIMITS OF CONSTRUCTION.
- LAWN AREAS TO BE SEEDED IMMEDIATELY AFTER PREPARATION OF THE BED. APPLY A UNIFORM COAT OF HYDROMULCH AT THE RATES SPECIFIED BELOW:
 - SEED (REF. SCHEDULE, 1 & H-3):
 - BERMUDA (HULLED)-2 LBS./1,000 S.F.
 - ANNUAL RYE GRASS-8 LBS./1,000 S.F.
 - WOOD CELLULOSE FIBER MULCH - 60 LBS./1,000 S.F.
 - FERTILIZER: "PHC FOR TURF" AT A RATE OF SEVEN (7) POUNDS PER 1,000 SQUARE FEET.
 - INCORPORATE A TACKIFIER WITH MULCH CAP. DELAY IRRIGATION 8 HOURS TO PERMIT TACKIFIER TO SET.
- SEED AREAS WITHIN SEEDING LIMITS INDICATED ON THE PLAN AND AREAS DISTURBED BY CONSTRUCTION OPERATIONS.
- PROTECT EXISTING UTILITIES (INCLUDING IRRIGATION SYSTEM), PLANTING, PAVING, FENCING, AND OTHER SITE AMENITIES FROM DAMAGE CAUSED BY HYDROMULCHING OPERATION.
- IMMEDIATELY FOLLOWING APPLICATION OF HYDROMULCH, THE CONTRACTOR SHALL WASH EXCESS HYDROMULCHING MATERIAL FROM PREVIOUSLY PLANTED MATERIAL, ARCHITECTURAL FEATURES, ETC. CARE SHALL BE EXERCISED TO AVOID WASHING OR ERODING MULCH MATERIALS FROM LAWN AREA.
- UPON ESTABLISHMENT OF LAWN, APPLY A POST-EMERGENT HERBICIDE FOR CONTROL OF NUT GRASS AND WEEDS. FERTILIZE AT 45 DAY INTERVALS WITH SPECIFIED PLANT HEALTH GROUP'S FERTILIZER AT A RATE OF SEVEN (7) POUNDS PER 1,000 SQUARE FEET DURING AT 45 DAY INTERVALS DURING THE 90 DAY MAINTENANCE PERIOD.
- DURING THE MONTHS OF OCTOBER THROUGH MARCH CONTRACTOR SHALL HYDROSEED ALL LAWN AREAS WITH ANNUAL RYE GRASS. THE CONTRACTOR SHALL RETURN TO THE SITE BETWEEN APRIL 1ST AND MAY 15 TO RE-PREPARE SEED BED AND HYDROMULCH WITH SPECIFIED BERMUDA SEED IN ORDER TO ESTABLISH A PERMANENT TURF COVER IN ALL LAWN AREAS.

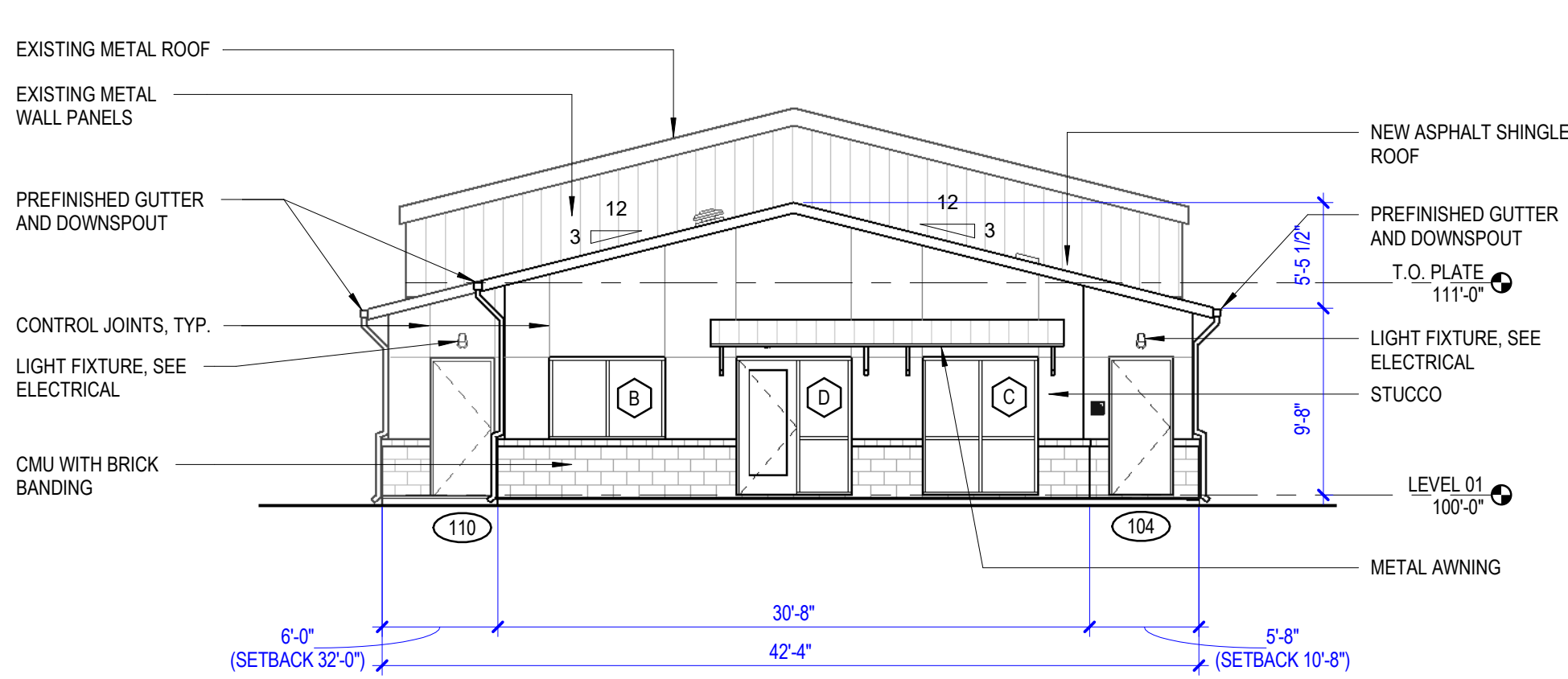
D.) SOD INSTALLATION:

- INCORPORATE SPECIFIED LAWN FERTILIZER AT SEVEN (7) POUNDS PER 1000 SQUARE FEET OF LAWN AREA FOR SOD.
- PRE-EMERGE HERBICIDE APPLICATION: APPLY RECOMMENDED HERBICIDE TO LABEL INSTRUCTIONS IN TWO APPLICATIONS. THE FIRST APPLICATION WILL BE UP TO 10 DAYS PRIOR TO PLANTING. THE SECOND APPLICATION WILL BE 5 DAYS PRIOR TO PLANTING. USE CARE TO AVOID WIND DRIFT OR RUNOFF TO ADJACENT ORNAMENTAL TREE OR SHRUB PLANTINGS.
- LAY SOD WITHIN 24 HOURS FROM TIME OF STRIPPING.
- LAY SOD TO FORM SOLID MASS WITH TIGHTLY FITTED JOINTS. BUTT ENDS AND SIDES OF SOD STRIPS. STAGGER STRIPS TO OFFSET JOINTS IN ADJACENT COURSES. WORK SIFTED SOIL INTO MINOR CRACKS BETWEEN PIECES OF SOD; REMOVE EXCESS SOD TO AVOID SMOTHERING ADJACENT GRASS.
- SOD PADS SHALL BE OF FULLEST SIZE POSSIBLE-NO SOD SLIVERS WILL BE PERMITTED.
- FINISHED GRADE OF NEW SOD SHALL BE FLUSH WITH ADJACENT LAWN AND PAVEMENT. ENSURE POSITIVE DRAINAGE.
- ROLL ENTIRE SODDED AREA WITH SOD ROLLER. WATER SOD THOROUGHLY.
- CONTRACTOR SHALL OVERSEED SOD AREAS WITH ANNUAL RYE GRASS IF LAWN INSTALLATION OCCURS SEPTEMBER 15 THROUGH APRIL 15 AT 8 LBS. 1,000 S.F.
- SHOULD LAWN AREAS BE SEEDED WITH ANNUAL RYE GRASS THE CONTRACTOR SHALL RETURN TO THE SITE BETWEEN APRIL 15 AND MAY 15 TO RE-PREPARE SEED BED AND SEED WITH BERMUDA.

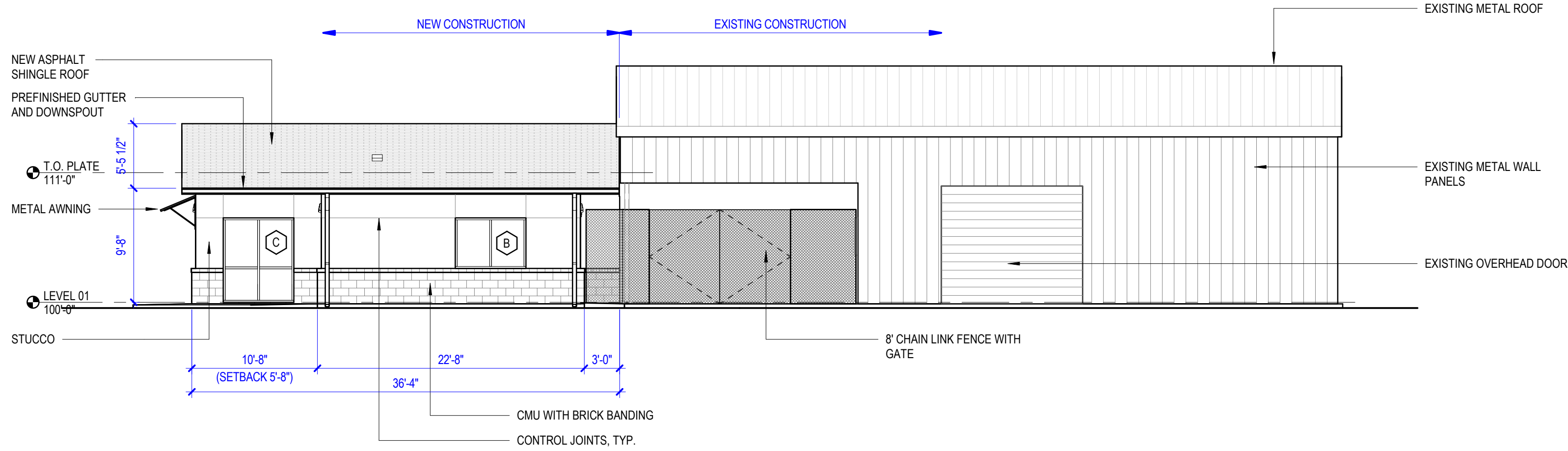
2.5 ACCEPTANCE

- A.) PRIOR TO SCHEDULING A SUBSTANTIAL COMPLETION INSPECTION LANDSCAPE CONTRACTOR SHALL THOROUGHLY CLEAN SITE OF ALL DEBRIS AND TRASH AND REPAIR ANY DAMAGE TO FINISH GRADE. WHEN LANDSCAPE WORK IS COMPLETE A SUBSTANTIAL COMPLETION INSPECTION WILL BE HELD. FOLLOWING COMPLETION OF ANY PUNCH LIST ITEMS GENERATED FROM THE SUBSTANTIAL COMPLETION INSPECTION A FINAL INSPECTION WILL BE HELD AND IF FOUND ACCEPTABLE A CERTIFICATE OF FINAL ACCEPTANCE WILL BE ISSUED.
- B.) LANDSCAPE CONTRACTOR SHALL CONTINUE MAINTENANCE UNTIL FINAL ACCEPTANCE AT WHICH TIME THE SPECIFIED MAINTENANCE PERIOD WILL BEGIN.

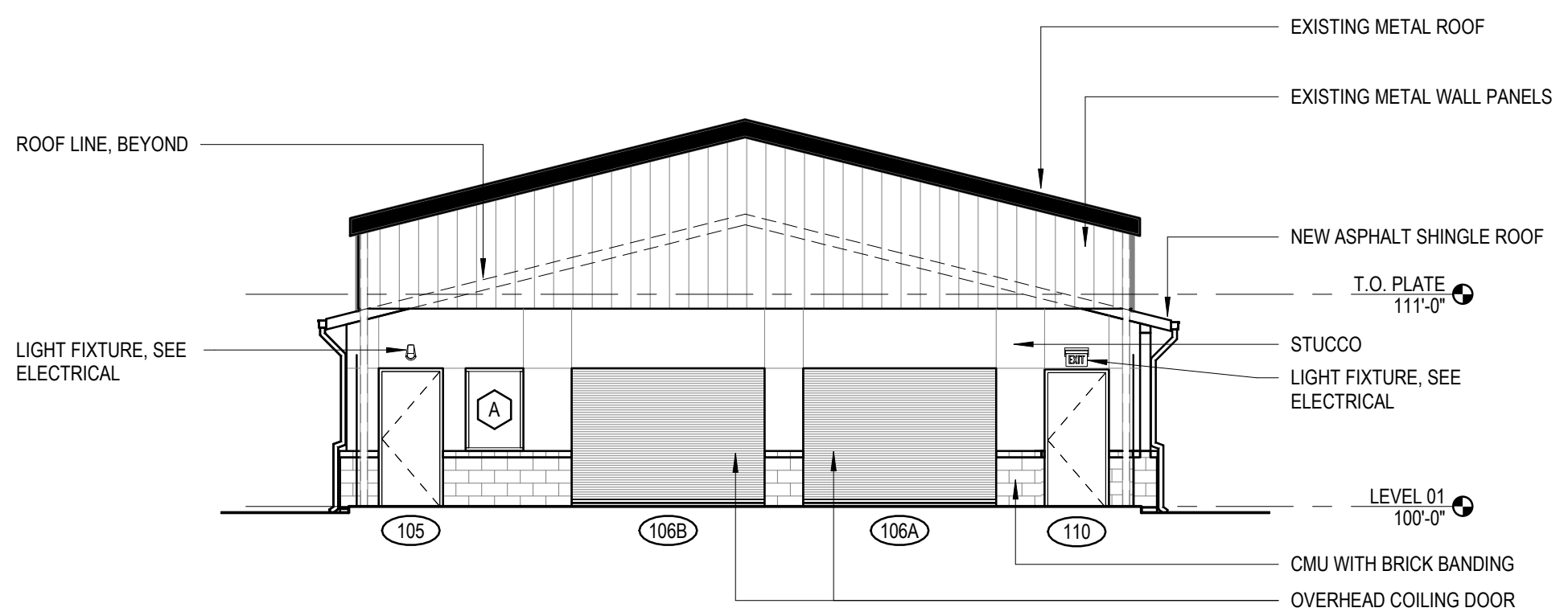
END OF SPECIFICATIONS



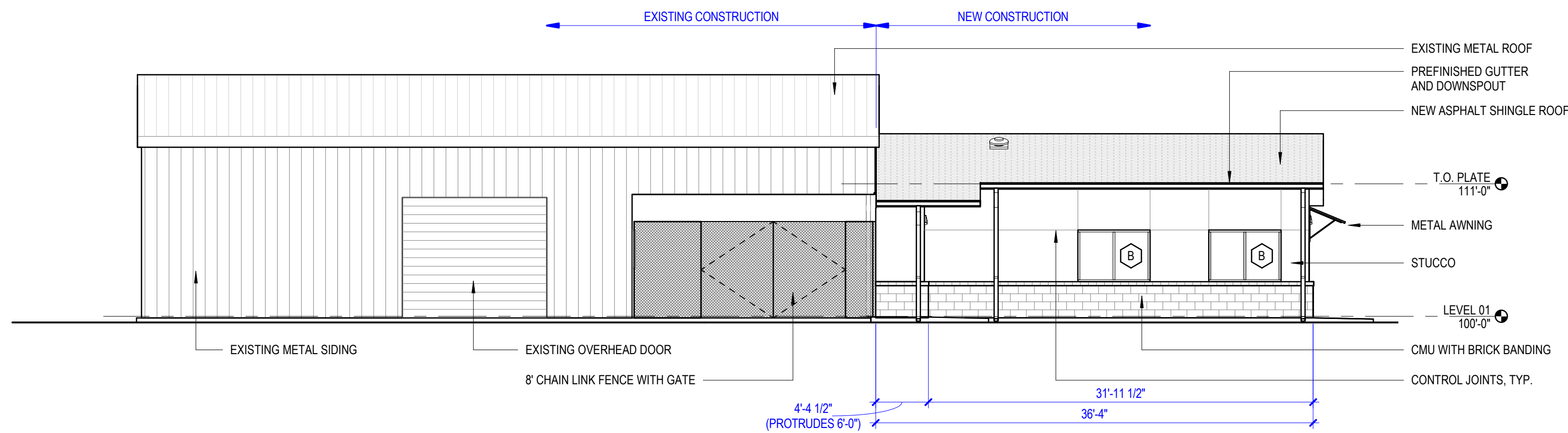
1 SOUTH ELEVATION
1/8" = 1'-0"



2 EAST ELEVATION
1/8" = 1'-0"



3 NORTH ELEVATION (THRU EXISTING COVERED AREA)
1/8" = 1'-0"



4 WEST ELEVATION
1/8" = 1'-0"



5 PROJECT MATERIALS
(PHOTOGRAPH OF EXISTING ADMINISTRATION BUILDING ON THE PROPERTY)
1/8" = 1'-0"