



MEETING AGENDA
Planning & Zoning Commission
REGULAR SESSION PLANNING & ZONING COMMISSION
November 16, 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

WEDNESDAY, NOVEMBER 16, 2022 at 6:00 p.m.

The Planning and Zoning Commission will hold the regularly scheduled meeting at 6:00p.m., Wednesday, November 16, 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

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 Tuesday, November 15, 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 Planning and Zoning Commission. Each person should fill out the Speaker's register prior to the meeting. Presentations should be limited to no more than three (3) minutes. Discussion by the Commission of any item not on the agenda shall be limited to statements of specific factual information given in response to any inquiry, a recitation of existing policy in response to an inquiry, and/or a proposal to place the item on a future agenda. The presiding officer, during the Hearing of Residents portion of the agenda, will call on those persons who have signed up to speak in the order they have registered.

4. CONSENT AGENDA:

A. Minutes for the October 26, 2022 Regular Meeting.

5. PUBLIC HEARING:

The Planning and Zoning Commission will hold a public hearing related to zone change requests and replats within this agenda. The public hearing will be opened to receive a report from staff, the applicant, the adjoining property owners affected by the applicant's request, and any other interested persons. Upon completion, the public hearing will be closed. The Commission will discuss and consider the application, and may request additional information from staff or the applicant, if required. After deliberation, the Commission is asked to consider and act upon the following requests and make a recommendation to the City Council if necessary.

- A. PLCPA20220164 Hold a public hearing, consider and make a recommendation on a request to amend the Comprehensive Land Use Plan by changing approximately 31 acres of the Future Land Use Map from the Estate Neighborhood land use designation to the Mixed-Use Neighborhood land use designation, generally located east of the intersection of FM 1518 and Woman Hollering Road, also known as 12535 Woman Hollering Road, also known as Bexar County Property Identification Numbers, 1150385 and 310128 Bexar County, Texas.
- B. PLZC20220124– Hold a public hearing, consider and make a recommendation on a request to rezone approximately 31 acres of land to Apartment/ Multi-Family Residential (R-4), generally located east of the intersection of FM 1518 and Woman Hollering Road, also known as 12535 Woman Hollering Road, also known as Bexar County Property Identification Numbers, 1150385 and 310128 Bexar County, Texas.
- C. PLZC20220175– Hold a public hearing, consider and make a recommendation on a request to rezone approximately 0.14 acres of land from Single-Family Residential District (R-2) to Main Street Mixed Use District (MSMU), generally located southeast of the intersection of Randolph Ave and Exchange Ave, also known as 204 Randolph Ave, also known as Guadalupe County Property Identification Number 67555, Guadalupe County, Texas.
- D. PLUDC20220135 Hold a public hearing, workshop and discussion, and possible action to make a recommendation on amendments of Part III, Schertz Code of Ordinances, Unified Development Code (UDC), to Article 5, Section 21.5.11- Specific Use Permit (SUP), Article 9, Section 21.9.7- Landscaping, and Article 10, Section 21.10.4- Schedule of off-street parking requirements. *Postponed at the October 26, 2022, Planning and Zoning Commission Meeting*

6. ITEMS FOR INDIVIDUAL CONSIDERATION:

- A. PLPP20220192 Consider an act upon request for approval of a preliminary plat of the Homestead Unit 11 Subdivision, an approximately 22 acre tract of land approximately 1,500 feet southwest of Homestead Parkway, City of Schertz, Guadalupe County, Texas

7. REQUESTS AND ANNOUNCEMENTS:

- A. Requests by Commissioners to place items on a future Planning and Zoning Agenda
- B. Announcements by Commissioners
 - City and community events attended and to be attended
 - Continuing education events attended and to be attended
- C. Announcements by City Staff.
 - City and community events attended and to be attended.

8. INFORMATION AVAILABLE IN THE PLANNING AND ZONING COMMISSION PACKETS- NO DISCUSSION TO OCCUR

- A. Current Projects and City Council Status Update

9. ADJOURNMENT OF THE REGULAR MEETING

CERTIFICATION

I, Samuel Haas, Planner, of the City of Schertz, Texas, do hereby certify that the above agenda was posted on the official bulletin boards on this the 10th 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.

Samuel Haas

Samuel Haas, Planner

I certify that the attached notice and agenda of items to be considered by the Schertz Planning & Zoning Commission was removed from the official bulletin board on _____ day of _____, 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 Planning and Zoning Commission for the City of Schertz reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by the Texas Open Meetings Act.

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

PLANNING AND ZONING COMMISSION MEETING: 11/16/2022
Agenda Item 4 A

TO: Planning and Zoning Commission
PREPARED BY: Emily Delgado, Planning Manager
SUBJECT: Minutes for the October 26, 2022 Regular Meeting.

Attachments

Minutes for the October 26, 2022 P&Z Meeting

DRAFT

PLANNING AND ZONING MINUTES

October 26, 2022

The Schertz Planning and Zoning Commission convened on October 26, 2022 at 6:00 p.m. at the Municipal Complex, Council Chambers, 1400 Schertz Parkway Building #4, Schertz, Texas.

Present: Glen Outlaw, Chairman; Ernie Evans, Vice Chairman; Richard Braud, Commissioner; Gordon Rae, Commissioner; Tamara Brown, Commissioner

Absent: Roderick Hector, Commissioner; Judy Goldick, Commissioner; John Carbon, Commissioner; Patrick McMaster, Commissioner

City Staff: Brian James, Assistant City Manager; Samuel Haas, Planner; Daniel Santee, City Attorney

1. CALL TO ORDER

Chairman Mr. Outlaw called the meeting to order at 6:00 P.M.

2. SEAT ALTERNATE TO ACT IF REQUIRED

There was no alternate seated.

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 Tuesday, October 25, 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 Planning and Zoning Commission. Each person should fill out the Speaker's register prior to the meeting. Presentations should be limited to no more than three (3) minutes. Discussion by the Commission of any item not on the agenda shall be limited to statements of specific factual information given in response to any inquiry, a recitation of existing policy in response to an inquiry, and/or a proposal to place the item on a future agenda. The presiding officer, during the Hearing of Residents portion of the agenda, will call on those persons who have signed up to speak in the order they have registered.

No one spoke.

4. PLANNING AND ZONING COMMISSION ELECTIONS

A. Election of Planning and Zoning Commission Chair and Vice Chair

Motioned by Commissioner Richard Braud to approve Mr. Outlaw as Chairman, seconded by Commissioner Gordon Rae

Vote: 5 - 0 Passed

Motioned by Commissioner Richard Braud to approve Mr. Evans as Vice Chairman, seconded by Commissioner Tamara Brown

Vote: 5 - 0 Passed

5. CONSENT AGENDA:

A. Minutes for the October 12, 2022, Regular Meeting.

Motioned by Commissioner Tamara Brown to approve the consent agenda, seconded by Commissioner Richard Braud

Vote: 5 - 0 Passed

6. PUBLIC HEARING:

The Planning and Zoning Commission will hold a public hearing related to zone change requests and replats within this agenda. The public hearing will be opened to receive a report from staff, the applicant, the adjoining property owners affected by the applicant's request, and any other interested persons. Upon completion, the public hearing will be closed. The Commission will discuss and consider the application, and may request additional information from staff or the applicant, if required. After deliberation, the Commission is asked to consider and act upon the following requests and make a recommendation to the City Council if necessary.

A. PLPDD20220020- Hold a public hearing, consider and make a recommendation on a request to rezone approximately 75 acres of land from General Business District (GB) and Manufacturing District - Light (M-1) to Planned Development District (PDD), generally located southeast of the intersection of IH 35 and Cibolo Valley Drive, also known as Guadalupe County Property Identification Numbers 68313, 68314, 148510, City of Schertz, Guadalupe County, Texas.

Mr. James provided a presentation along with the applicant and developer.

Mr. Outlaw opened the public hearing at 6:47 P.M.

No one spoke.

Mr. Outlaw closed the public hearing at 6:48 P.M.

Motioned by Commissioner Gordon Rae to recommend approval to the City Council with a note in relation to the proposed project needing to meet Unified Development Code Section 21.14.3.F in relation to sight distance requirements, seconded by Commissioner Tamara Brown

Vote: 5 - 0 Passed

B. PLUDC20220135 Hold a public hearing, workshop and discussion, and possible action to make a recommendation on amendments of Part III, Schertz Code of Ordinances, Unified Development Code (UDC), to Article 5, Section 21.5.11- Specific Use Permit (SUP), Article 9, Section 21.9.7- Landscaping, and Article 10, Section 21.10.4- Schedule of off-street parking requirements. *Tabled at the September 28, 2022, Planning and Zoning Commission Meeting*****

Mr. James requested due to IT difficulties and staffing, this item be postponed to the November 16, 2022 Planning and Zoning Commission Meeting.

Mr. Outlaw opened the public hearing at 7:16 P.M.

No one spoke.

Mr. Outlaw closed the public hearing at 7:17 P.M.

Motioned by Commissioner Tamara Brown to postpone to the next meeting, seconded by Commissioner Richard Braud

Vote: 5 - 0 Passed

7. REQUESTS AND ANNOUNCEMENTS:

A. Requests by Commissioners to place items on a future Planning and Zoning Agenda
There were requests by Chairman Mr. Outlaw.

B. Announcements by Commissioners

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

There were announcements by Commissioner Mr. Evans.

C. Announcements by City Staff.

- City and community events attended and to be attended.

There were no announcements by City Staff.

**8. INFORMATION AVAILABLE IN THE PLANNING AND ZONING COMMISSION PACKETS-
NO DISCUSSION TO OCCUR**

A. Current Projects and City Council Status Update

9. ADJOURNMENT OF THE REGULAR MEETING

Chairman Mr. Outlaw adjourned the regular meeting at 7:16 P.M.

Chairman, Planning and Zoning Commission

Recording Secretary, City of Schertz

PLANNING AND ZONING COMMISSION MEETING: 11/16/2022
Agenda Item 5 A

TO: Planning and Zoning Commission
PREPARED BY: Emily Delgado, Planning Manager
CASE: PLCPA20220164- Woman Hollering Comp Plan Amendment
SUBJECT: PLCPA20220164 Hold a public hearing, consider and make a recommendation on a request to amend the Comprehensive Land Use Plan by changing approximately 31 acres of the Future Land Use Map from the Estate Neighborhood land use designation to the Mixed-Use Neighborhood land use designation, generally located east of the intersection of FM 1518 and Woman Hollering Road, also known as 12535 Woman Hollering Road, also known as Bexar County Property Identification Numbers, 1150385 and 310128 Bexar County, Texas.

GENERAL INFORMATION:

Owner: Ras R Jr and Holly Ruhmann
Developer: Ocotillo Capital Partners, Josh Pollock
Applicant: Killen, Griffin & Farrimond, Delaney Honaker
Engineer: Manhard Consulting, Zach Steele

Twenty-three (23) public hearing notices were mailed to the surrounding property owners within two hundred (200) feet of the subject property on November 3, 2022. At the time of this staff report we have received five (5) responses opposed and no responses in favor or neutral to the proposed Comprehensive Land Use Plan Amendment.

PROPOSED AMENDMENTS

The applicant is requesting to amend the Comprehensive Land Use Plan by changing approximately 31 acres of the Future Land Use Map from Estate Neighborhood to Mixed-Use Neighborhood land use designation.

The Future Land Use Map for the subject area was evaluated as part of the Sector Plan Amendment to the Comprehensive Land Use Plan, adopted by City Council on July 16, 2013. The subject properties' are currently under the Estate Neighborhood land use designation. The Estate Neighborhood land use designation is designed to preserve the rural Southern Schertz by maintaining open space, large lots, and areas with large wooded lots. The land use designation is intended to have large residential lots (1/2 acre min.), maintain 50% of open space, and to encourage cluster neighborhood development.

The applicant is proposing to change the Future Land Use designation of the subject properties to Mixed Use Neighborhood Center. This proposed future land use designation is intended to be comprised of primarily a mixture of retail, restaurant, office, and multifamily residential uses.

STAFF ANALYSIS AND RECOMMENDATION:

The 2013 Sector Plan Amendment of the Comprehensive Land Use Plan sought to establish future development objectives that balance the traditionally rural and agricultural identity that has shaped the character of South Schertz with the opportunity for smart growth as the City continues to develop south of FM 78. The proposed development that led to the filing of this Comprehensive Land Use Plan involves the potential for a townhome rental community proposed to consist of 220 residential units. Therefore, the applicant has moved forward with this proposed Comprehensive land Use Plan Amendment to reclassify the properties under the Mixed Use Neighborhood Center future land use designation. In conjunction with this proposed Comprehensive Land Use Plan Amendment request, the property owner and applicant has also request to be annexed into the City of Schertz and to have the property zoned Apartment / Multi-Family Residential (R-4).

The South Schertz area, based on recently approved Future Land Use Plan amendments (Carmel Ranch and

Saddlebrook both approved in 2020, the 44 acres on Schaefer Road approved in 2022 and the 15 acres on FM 1518 approved in 2022) has begun to see a shift from the rural, large lot, agricultural areas to more of the traditional subdivision and a mixture of multifamily to allow open space and amenities. Additionally, in the FY2020-2021 budget City Council approved to allocate funding for a full Comprehensive Land Use Plan Amendment. The full amendment would enable City Staff to make modifications to the Future Land Use Map that are more appropriate for each area within Schertz. The subject property, like many others in the area, having the land use designation of Estate Neighborhood, were found to be more appropriate at the time the Schertz Sector Plan Amendment of the Comprehensive Land Use Plan was done in 2013. Staff understands that the intention of the Amendment in 2013 was to maintain the character of Southern Schertz with the rural/agricultural feel and to have larger lots with the 50% open space. However, due to the evolving needs that we are experiencing allowing this amendment to the mixed-use neighborhood land use designation, which is intended to have multifamily, would allow the opportunity for working families to live in the area and have quick access to Randolph Air Force Base and Interstate 10. At 31 acres in size this property is not really large enough to be able to develop using the alternative estate neighborhood cluster development.

The upcoming Comprehensive Plan rework would allow staff to reconcile the gaps between our future plan, the residents' desires, and current market conditions. However, this proposed Comprehensive Land Use Plan amendment for the subject tracts would allow the property owners the ability to have their property develop as desired now, without requiring them to await the full Comprehensive Land Use Plan Amendment.

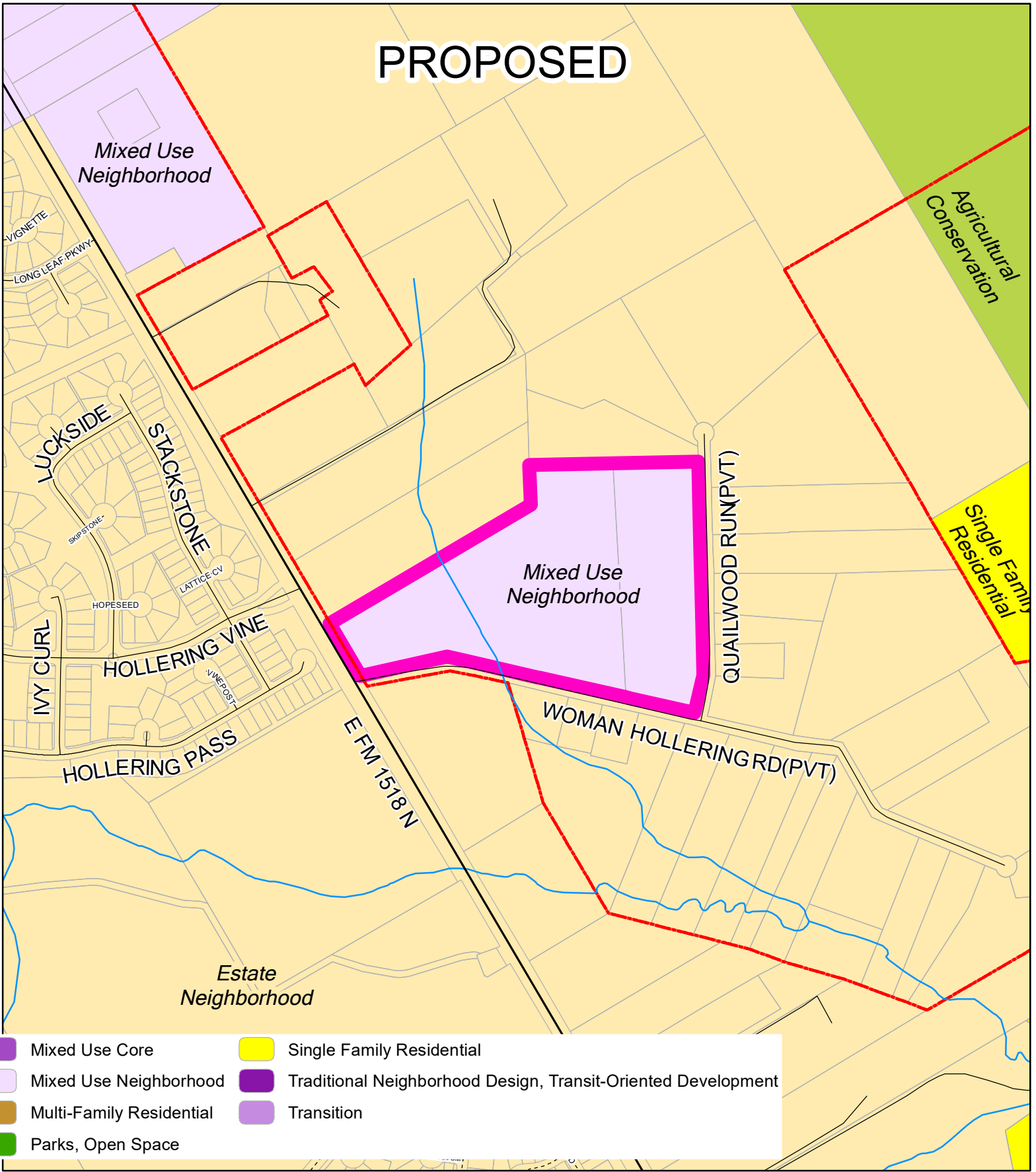
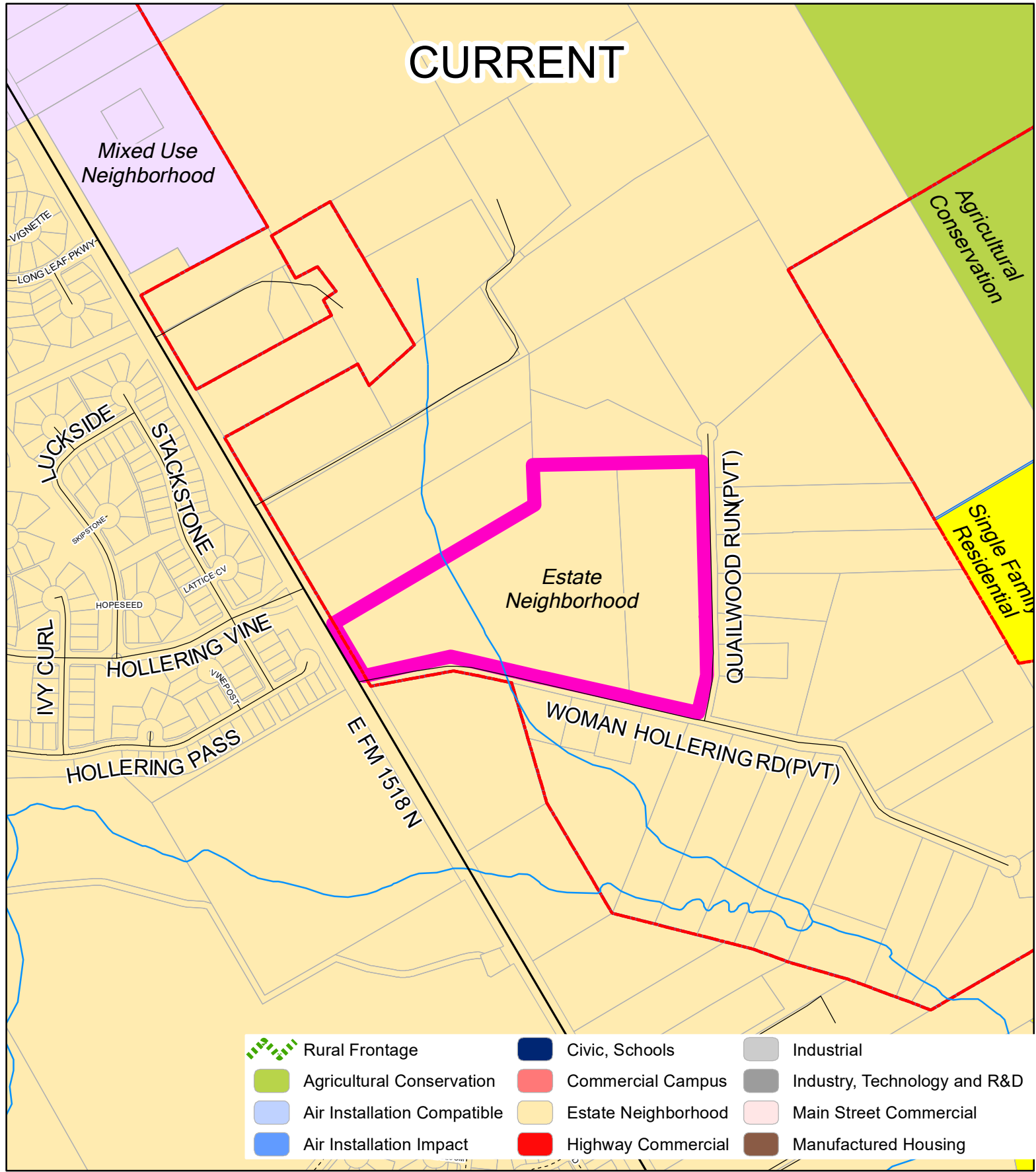
Therefore, staff recommends approval of the Comprehensive Land Use Plan Amendment from Estate Neighborhood land use designation to Mixed Use Neighborhood land use designation.

COMMISSIONERS CRITERIA FOR CONSIDERATION:

The Planning and Zoning Commission in making a recommendation to City Council on the proposed Comprehensive Land Use Plan Amendment. In considering action on a Comprehensive Land Use Plan Amendment, the Commission should consider the criteria within UDC, Section 21.4.6. D.

Attachments

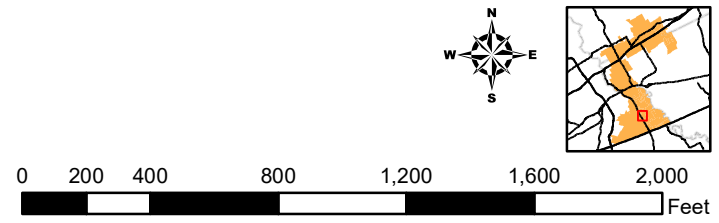
Current and Proposed Comprehensive Land Use Plan Exhibit
Aerial Map
Public Hearing Notification Map
Request Letter from Applicant
Comprehensive Land Use Plan Exhibit
Public Hearing Notice Responses



- | | | | | |
|-----------------------------|---------------------|------------------------------|--------------------------|---|
| Rural Frontage | Civic, Schools | Industrial | Mixed Use Core | Single Family Residential |
| Agricultural Conservation | Commercial Campus | Industry, Technology and R&D | Mixed Use Neighborhood | Traditional Neighborhood Design, Transit-Oriented Development |
| Air Installation Compatible | Estate Neighborhood | Main Street Commercial | Multi-Family Residential | Transition |
| Air Installation Impact | Highway Commercial | Manufactured Housing | Parks, Open Space | |

Proposed Comprehensive Land use Plan

30.48-ACRE PROPERTY LOCATED
 AT 12535 WOMAN HOLLERING RD



"The City of Schertz provides this Geographic Information System product "as is" without any express or implied warranty of any kind including but not limited to the implied warranties of merchantability and fitness for a particular purpose. In no event shall The City of Schertz be liable for any special, indirect or consequential damages or any damages whatsoever arising out of or in connection with the use of or performance of these materials. Information published in this product could include technical inaccuracies or typographical errors. Periodical changes may be made and information may be added to the information herein. The City of Schertz may make improvements and/or changes in the product(s) described herein at any time."



KILLEN, GRIFFIN
& FARRIMOND
ATTORNEYS AT LAW

ASHLEY FARRIMOND

(726) 777-4170
ashley@kgftx.com

September 23, 2022

City of Schertz
Planning & Zoning Division
1400 Schertz Parkway
Schertz, TX 78154

RE: Comprehensive Plan Amendment Request for a 30.48-acre Property Located at 12535 Woman Hollering Road within the City of Schertz Extraterritorial Jurisdiction.

To Whom it May Concern:

Ocotillo Capital Partners LLC (“Ocotillo”) is under contract to purchase approximately 30.48 acres (“Property”) located at 12535 Woman Hollering Road in the City of Schertz (“City”) extraterritorial jurisdiction. Ocotillo intends to develop and construct a low-density townhome rental community consisting of 220 residential units (“Project”) on the Property. On behalf of the Property owner and Ocotillo, we are requesting that the City amend the Comprehensive Plan for the Property to Mixed-Use Neighborhood Center (*see* “Exhibit 1”).

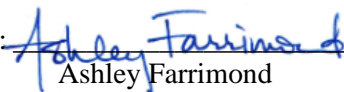
The City of Schertz Comprehensive Plan currently designates the future land use of the Property as Estate Neighborhood (see “Exhibit 2”). This land use designations may have been appropriate in the past, but the City continues to grow, causing an increased demand for more housing, including more affordable and diverse housing choices. We request that the Property’s current land use designations be amended to Mixed-Use Neighborhood Center to allow for the proposed low-density townhome rental community. As you are aware, the City of Schertz is currently in the process of updating the Comprehensive Land Use Plan and we believe the Property is better suited for Mixed-Use Neighborhood Center. The Mixed-Use Neighborhood Center designation would allow for the development of a diverse housing community that includes amenities, walkability, and easy access to FM 1518.

Please note a petition for annexation and request to zone the Property “R-4” has also been submitted. The annexation petition and zoning request application show in greater detail the diverse and creative housing choices that the proposed Project will create for future and current Schertz residents.

We believe the requested change in Land Use is appropriate, compatible, and beneficial for the City, and therefore ask for your support. If you have any questions regarding this matter, please do not hesitate to email me at ashley@kgftx.com, or call me at (210) 960-2750.

Sincerely,

KILLEN, GRIFFIN & FARRIMOND, PLLC

BY: 
Ashley Farrimond

Authorization

July 14, 2022

City of Schertz
Planning Department
1400 Schertz Pkwy
Schertz, TX 78154

**Re: Voluntary Annexation Petition - 12535 Woman Hollering Road, Schertz, Texas
78154**

To Whom It May Concern:

My name is Ras Ruhmann, Jr., and Holly Ruhmann and I jointly own approximately 30.48 acres located at 12535 Woman Hollering Road, Schertz, Texas 78154 ("Property"). ~~The Property, which is more particularly described in Exhibit "A". The Property is currently under contract with Ocotillo Capital Partners LLC ("Contract") and is proposed for future development. The Property is located within the city of Schertz ("City") extraterritorial jurisdiction and is proposed for future development. The~~ and the proposed development is seeking annexation of the Property to obtain City services and utilities. Please accept this letter as a petition for voluntary annexation of the Property. Notwithstanding the foregoing, if the Contract falls through for any reason, the petition for voluntary annexation shall be withdrawn and the Property shall remain within the City extraterritorial jurisdiction.

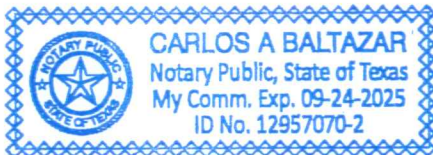
Sincerely,

By: Ras Ruhmann, Jr.
Ras Ruhmann, Jr.

STATE OF TEXAS §
§
COUNTY OF Bexar §

BEFORE ME, the undersigned authority, on this day personally appeared Ras Ruhmann Jr., who acknowledged he is authorized to execute this document.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 27 day of July, 2022.



Carlos A. Baltazar
Notary Public, State of Texas
Printed Name: Carlos Baltazar

Survey

100

doi: 10.1371/journal.pone.0171028
 g001
 Fig 1. Schematic diagram of the study design. The study was conducted in two phases. In the first phase, the effect of the intervention on the outcome was evaluated. In the second phase, the effect of the intervention on the outcome was evaluated. The study was conducted in two phases. In the first phase, the effect of the intervention on the outcome was evaluated. In the second phase, the effect of the intervention on the outcome was evaluated.

Bexar County Appraisal District Information

Bexar CAD

Property Search Results > 310128 RUHMANN RAS R JR & HOLLY for Year 2022

Tax Year:

Property

Account

Property ID:	310128	Legal Description:	CB 5059A BLK LOT E 400.65FT OF 24 & 25
Geographic ID:	05059-100-0031	Zoning:	OCL
Type:	Real	Agent Code:	40701
Property Use Code:	002		
Property Use Description:	Rural		

Protest

Protest Status:	
Informal Date:	
Formal Date:	

Location

Address:	12535 WOMAN HOLLERING RD SCHERTZ, TX 78154	Mapsc0:	556B8
Neighborhood:	SCUCISD/JUDSON Rural Development East	Map ID:	
Neighborhood CD:	22004	E-File Eligible	

Owner

Name:	RUHMANN RAS R JR & HOLLY	Owner ID:	2920034
Mailing Address:	12535 WOMAN HOLLERING RD SCHERTZ, TX 78154-4500	% Ownership:	100.0000000000%
		Exemptions:	

Values

(+) Improvement Homesite Value:	+	\$0	
(+) Improvement Non-Homesite Value:	+	\$0	
(+) Land Homesite Value:	+	\$0	
(+) Land Non-Homesite Value:	+	\$0	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	\$377,810	\$1,070
(+) Timber Market Valuation:	+	\$0	\$0

(=) Market Value:	=	\$377,810	
(-) Ag or Timber Use Value Reduction:	-	\$376,740	

(=) Appraised Value:	=	\$1,070	
(-) HS Cap:	-	\$0	

(=) Assessed Value:	=	\$1,070	

Taxing Jurisdiction

Owner: RUHMANN RAS R JR & HOLLY

% Ownership: 100.000000000000%

Total Value: \$377,810

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax		
06	BEXAR CO RD & FLOOD	0.023668	\$1,070	\$1,070	\$0.26		
08	SA RIVER AUTH	0.018580	\$1,070	\$1,070	\$0.20		
09	ALAMO COM COLLEGE	0.149150	\$1,070	\$1,070	\$1.59		
10	UNIV HEALTH SYSTEM	0.276235	\$1,070	\$1,070	\$2.96		
11	BEXAR COUNTY	0.276331	\$1,070	\$1,070	\$2.96		
64	SCHERTZ-CIBOLO ISD	1.369500	\$1,070	\$1,070	\$14.65		
CAD	BEXAR APPRAISAL DISTRICT	0.000000	\$1,070	\$1,070	\$0.00		
Total Tax Rate:		2.113464					
Taxes w/Current Exemptions:					\$22.62		
Taxes w/o Exemptions:					\$22.62		

Improvement / Building

No improvements exist for this property.

Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	RID	Range Improved Dryland	10.0000	435600.00	0.00	0.00	\$377,810	\$1,070

Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2022	\$0	\$377,810	1,070	1,070	\$0	\$1,070
2021	\$0	\$217,050	1,070	1,070	\$0	\$1,070
2020	\$0	\$205,710	1,080	1,080	\$0	\$1,080
2019	\$0	\$165,830	1,080	1,080	\$0	\$1,080
2018	\$0	\$129,060	1,080	1,080	\$0	\$1,080

Deed History - (Last 3 Deed Transactions)

#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Deed Number
1	9/9/2014	WD	Warranty Deed	CARMACK CHRISTA S	RUHMANN RAS R JR & HOLLY	16859	2130	20140155607
2	1/6/2012	ED	EXECUTOR'S DEED	CARMACK CHRISTA S	CARMACK CHRISTA S	15302	0963	210120003495
3	8/27/2011	SWD	Special Warranty Deed	CARMACK ROBERT A ETAL	CARMACK CHRISTA S	15252	22198	20110216034

2022 data current as of Jun 20 2022 1:09AM.

Bexar CAD

Property Search Results > 310128 RUHMANN RAS R JR & HOLLY for Year 2022

Tax Year:

Property

Account

Property ID:	310128	Legal Description:	CB 5059A BLK LOT E 400.65FT OF 24 & 25
Geographic ID:	05059-100-0031	Zoning:	OCL
Type:	Real	Agent Code:	40701
Property Use Code:	002		
Property Use Description:	Rural		

Protest

Protest Status:	
Informal Date:	
Formal Date:	

Location

Address:	12535 WOMAN HOLLERING RD SCHERTZ, TX 78154	Mapsc0:	556B8
Neighborhood:	SCUCISD/JUDSON Rural Development East	Map ID:	
Neighborhood CD:	22004	E-File Eligible	

Owner

Name:	RUHMANN RAS R JR & HOLLY	Owner ID:	2920034
Mailing Address:	12535 WOMAN HOLLERING RD SCHERTZ, TX 78154-4500	% Ownership:	100.0000000000%
		Exemptions:	

Values

(+) Improvement Homesite Value:	+	\$0	
(+) Improvement Non-Homesite Value:	+	\$0	
(+) Land Homesite Value:	+	\$0	
(+) Land Non-Homesite Value:	+	\$0	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	\$377,810	\$1,070
(+) Timber Market Valuation:	+	\$0	\$0

(=) Market Value:	=	\$377,810	
(-) Ag or Timber Use Value Reduction:	-	\$376,740	

(=) Appraised Value:	=	\$1,070	
(-) HS Cap:	-	\$0	

(=) Assessed Value:	=	\$1,070	

Taxing Jurisdiction

Owner: RUHMANN RAS R JR & HOLLY

% Ownership: 100.000000000000%

Total Value: \$377,810

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax		
06	BEXAR CO RD & FLOOD	0.023668	\$1,070	\$1,070	\$0.26		
08	SA RIVER AUTH	0.018580	\$1,070	\$1,070	\$0.20		
09	ALAMO COM COLLEGE	0.149150	\$1,070	\$1,070	\$1.59		
10	UNIV HEALTH SYSTEM	0.276235	\$1,070	\$1,070	\$2.96		
11	BEXAR COUNTY	0.276331	\$1,070	\$1,070	\$2.96		
64	SCHERTZ-CIBOLO ISD	1.369500	\$1,070	\$1,070	\$14.65		
CAD	BEXAR APPRAISAL DISTRICT	0.000000	\$1,070	\$1,070	\$0.00		
Total Tax Rate:		2.113464					
Taxes w/Current Exemptions:					\$22.62		
Taxes w/o Exemptions:					\$22.62		

Improvement / Building

No improvements exist for this property.

Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	RID	Range Improved Dryland	10.0000	435600.00	0.00	0.00	\$377,810	\$1,070

Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2022	\$0	\$377,810	1,070	1,070	\$0	\$1,070
2021	\$0	\$217,050	1,070	1,070	\$0	\$1,070
2020	\$0	\$205,710	1,080	1,080	\$0	\$1,080
2019	\$0	\$165,830	1,080	1,080	\$0	\$1,080
2018	\$0	\$129,060	1,080	1,080	\$0	\$1,080

Deed History - (Last 3 Deed Transactions)

#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Deed Number
1	9/9/2014	WD	Warranty Deed	CARMACK CHRISTA S	RUHMANN RAS R JR & HOLLY	16859	2130	20140155607
2	1/6/2012	ED	EXECUTOR'S DEED	CARMACK CHRISTA S	CARMACK CHRISTA S	15302	0963	210120003495
3	8/27/2011	SWD	Special Warranty Deed	CARMACK ROBERT A ETAL	CARMACK CHRISTA S	15252	22198	20110216034

2022 data current as of Jun 20 2022 1:09AM.

2021 and prior year data current as of Jun 3 2022 6:28AM
For property information, contact (210) 242-2432 or (210) 224-8511 or email.
For website information, contact (210) 242-2500.

2021 and prior year data current as of Jun 3 2022 6:28AM
For property information, contact (210) 242-2432 or (210) 224-8511 or email.
For website information, contact (210) 242-2500.

Property Identification #: 1150385

Property Information: 2022

Owner Identification #: 2920034

Geo ID: 05059-100-0032
Situs 12535 WOMAN HOLLERING RD
Address: SCHERTZ, TX 78154
Property Type: Real
State Code: E1

Legal	CB 5059A BLK LOT 3 EXC SW
Description:	IRR 21.21FT & LOT W 400.65 FT OF 24 & 25
Abstract:	A05059
Neighborhood:	SCUCISD/JUDSON Rural Development East
Appraised Value:	\$702,110.00
Jurisdictions:	10, 64, 09, 11, 08, CAD, 06

Name: RUHMANN RAS R JR & HOLLY
Exemptions: OTHER, HS
DBA: Null



Bexar CAD Map Search

This product is for informational purposes only and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. The Bexar County Appraisal District expressly disclaims any and all liability in connection herewith.

Bexar CAD

Property Search Results > 1150385 RUHMANN RAS R JR & HOLLY for Year 2022

Tax Year: 2022

Property

Account

Property ID:	1150385	Legal Description:	CB 5059A BLK LOT 3 EXC SW IRR 21.21FT & LOT W 400.65 FT OF 24 & 25
Geographic ID:	05059-100-0032	Zoning:	OCL
Type:	Real	Agent Code:	40701
Property Use Code:	009		
Property Use Description:	LAND (potential development land)		

Protest

Protest Status:
 Informal Date:
 Formal Date:

Location

Address:	12535 WOMAN HOLLERING RD SCHERTZ, TX 78154	Mapsco:	556B8
Neighborhood:	SCUCISD/JUDSON Rural Development East	Map ID:	
Neighborhood CD:	22004	E-File Eligible	

Owner

Name:	RUHMANN RAS R JR & HOLLY	Owner ID:	2920034
Mailing Address:	12535 WOMAN HOLLERING RD SCHERTZ, TX 78154-4500	% Ownership:	100.000000000000%
		Exemptions:	OTHER, HS

Values

(+) Improvement Homesite Value:	+	\$666,980	
(+) Improvement Non-Homesite Value:	+	\$0	
(+) Land Homesite Value:	+	\$33,060	
(+) Land Non-Homesite Value:	+	\$0	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	\$731,160	\$2,070
(+) Timber Market Valuation:	+	\$0	\$0

(=) Market Value:	=	\$1,431,200	
(-) Ag or Timber Use Value Reduction:	-	\$729,090	

(=) Appraised Value:	=	\$702,110	
(-) HS Cap:	-	\$215,391	

(=) Assessed Value:	=	\$486,719	

Taxing Jurisdiction

Owner: RUHMANN RAS R JR & HOLLY

% Ownership: 100.000000000000%

Total Value: \$1,431,200

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax	Tax Ceiling
06	BEXAR CO RD & FLOOD	0.023668	\$702,110	\$386,789	\$91.55	\$91.06
08	SA RIVER AUTH	0.018580	\$702,110	\$462,333	\$85.90	
09	ALAMO COM COLLEGE	0.149150	\$702,110	\$456,719	\$615.48	\$612.39
10	UNIV HEALTH SYSTEM	0.276235	\$702,110	\$456,719	\$1,261.62	
11	BEXAR COUNTY	0.276331	\$702,110	\$339,789	\$938.94	\$933.22
64	SCHERTZ-CIBOLO ISD	1.369500	\$702,110	\$436,719	\$5,582.91	\$5,554.56
CAD	BEXAR APPRAISAL DISTRICT	0.000000	\$702,110	\$486,719	\$0.00	
Total Tax Rate:		2.113464				
Taxes w/Current Exemptions:					\$8,576.40	
Taxes w/o Exemptions:					\$14,838.84	

Improvement / Building

Improvement #1: Residential State Code: E1 Living Area: 5045.0 sqft Value: \$579,500

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
LA	Living Area	G - SB		1980	5045.0
AG	Attached Garage	G - SB		1980	866.0
OP	Attached Open Porch	G - NO		1980	1130.0
PA	Terrace (patio slab)	G - NO		1980	308.0

Improvement #2: Residential State Code: E1 Living Area: sqft Value: \$57,170

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
GAR	Detached Garage	G - SB		1985	2176.0

Improvement #3: Residential State Code: E1 Living Area: sqft Value: \$25,840

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
RSW	Swimming Pool	A - NO		2000	504.0

Improvement #4: Residential State Code: E1 Living Area: sqft Value: \$4,470

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
PTO	Detached Patio	A - NO		1980	1100.0

Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	RHS	R/1 Family Homesite Single	1.0000	43560.00	0.00	0.00	\$33,060	\$0
2	RID	Range Improved Dryland	19.3501	842890.36	0.00	0.00	\$731,160	\$2,070

Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2022	\$666,980	\$764,220	2,070	702,110	\$215,391	\$486,719
2021	\$418,880	\$441,860	2,070	442,660	\$0	\$442,660
2020	\$405,380	\$418,920	2,090	428,060	\$0	\$428,060
2019	\$399,010	\$342,940	2,100	421,010	\$0	\$421,010
2018	\$385,780	\$271,280	2,100	407,740	\$0	\$407,740

Deed History - (Last 3 Deed Transactions)

#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Deed Number
1	9/9/2014	WD	Warranty Deed	CARMACK CHRISTA S	RUHMANN RAS R JR & HOLLY	16859	2130	20140155607
2	1/6/2012	ED	EXECUTOR'S DEED	CARMACK CHRISTA S	CARMACK CHRISTA S	15302	0963	20120003495
3	1/6/2012	ED	EXECUTOR'S DEED	CARMACK DONALD L & CHRISTA S	CARMACK CHRISTA S	15302	0963	20120003495

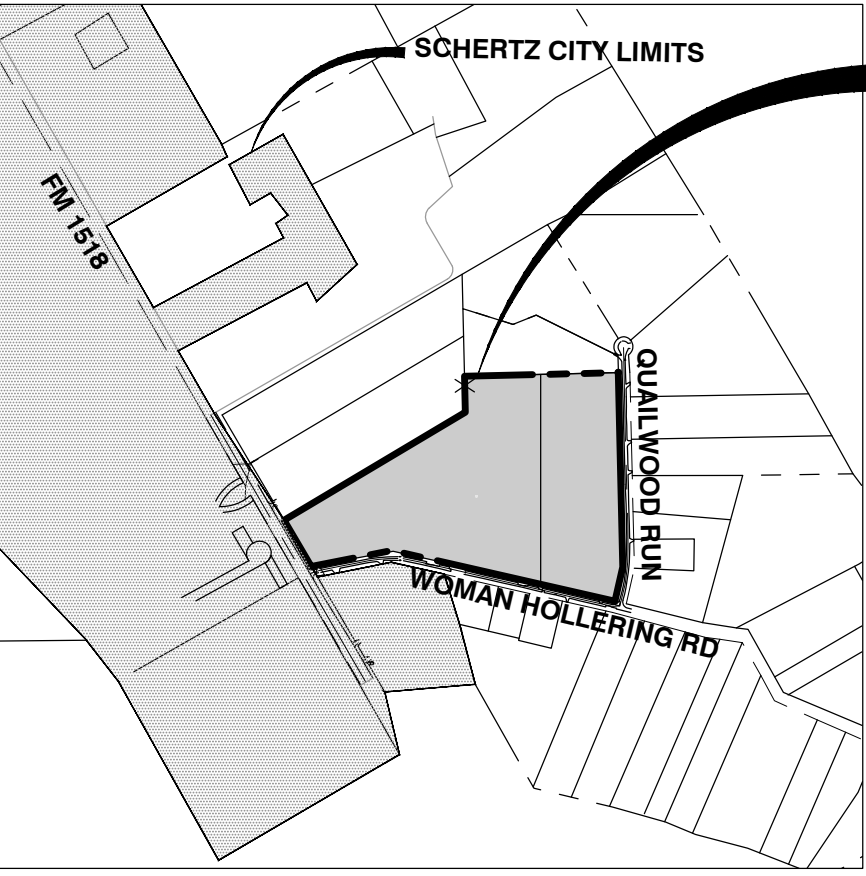
2022 data current as of Jun 20 2022 1:09AM.

2021 and prior year data current as of Jun 3 2022 6:28AM

**For property information, contact (210) 242-2432 or (210) 224-8511
or email.**

For website information, contact (210) 242-2500.

Comprehensive Plan Exhibit


$$1'' = 1000'$$

6.08 ACRE TRACT
(VOL. 8423, PG. 1322)
OWNER: CROSBY L. SPRUILL
REVOCABLELIVING TRUST

PREPARED 09/14/22

9.47 ACRE TRACT
(VOL.7021, PG. 731)
PARCEL NO: 50591000020
OWNER: PRAPAPAN &
CHOB KAMOLSRI

N88°45'39"E 801.30'

10.10 ACRE TRACT
(440,131 SQ. FT.)
(VOL. 16859 PG. 2130)
OWNER: RAS R JR & HOLLY RUH
CURRENT ZONING=OCL (SCHERTZ
PROPOSED ZONING=R-4
GROSS & NET ACREAGE
OWNER REQUESTED ZONING=10.10

5.07 ACRE TRACT
OWNER: CARDENAS JE
PADILLA &
TRUJILLO MARIANA

2.63 ACRE TRACT
OWNER: CLATE MICHELLE

4.21 ACRE TRACT
OWNER: PIERCE JOYCE F

1.18 ACRE TRACT

4.21 ACRE TRACT
OWNER: PIERCE JOYCE F

4.69 ACRE TRACT
OWNER: TURNER
DAREN K
& ROLANDA M

7.23 ACRE TRACT
OWNER: MCCALL GARY W
& BRENDA

4.69 ACRE TRACT
OWNER: STANFIELD
ROBERT EDWARD &
MARIA DEL ROSARIO

SURVEYOR
KFW SURVEYING
3421 PAESANOS PKWY
SUITE 101
SAN ANTONIO, TX 78231
210.979.8444

ENGINEER
MANHARD CONSULTING
1120 S CAPITAL OF TEXAS HWY
BUILDING 1, SUITE 210
AUSTIN, TX 78746
737.295.3401
ZACH STEELE, P.E.

DEVELOPER
OCTOLLO CAPITAL PARTNERS
4900 WESTFIELD DR
AUSTIN, TX 78731-5545
JOSH@OCOTILLOCAP.COM
210.355.1809
JOSH POLLOCK

PROPERTY OWNER
RUHMANN RAS R JR & HOLLY
4900 WESTFIELD DR
AUSTIN, TX 78731-5545

SCHERTZ MULTIFAMILY DEVELOPMENT

CITY OF SCHERTZ, TEXAS

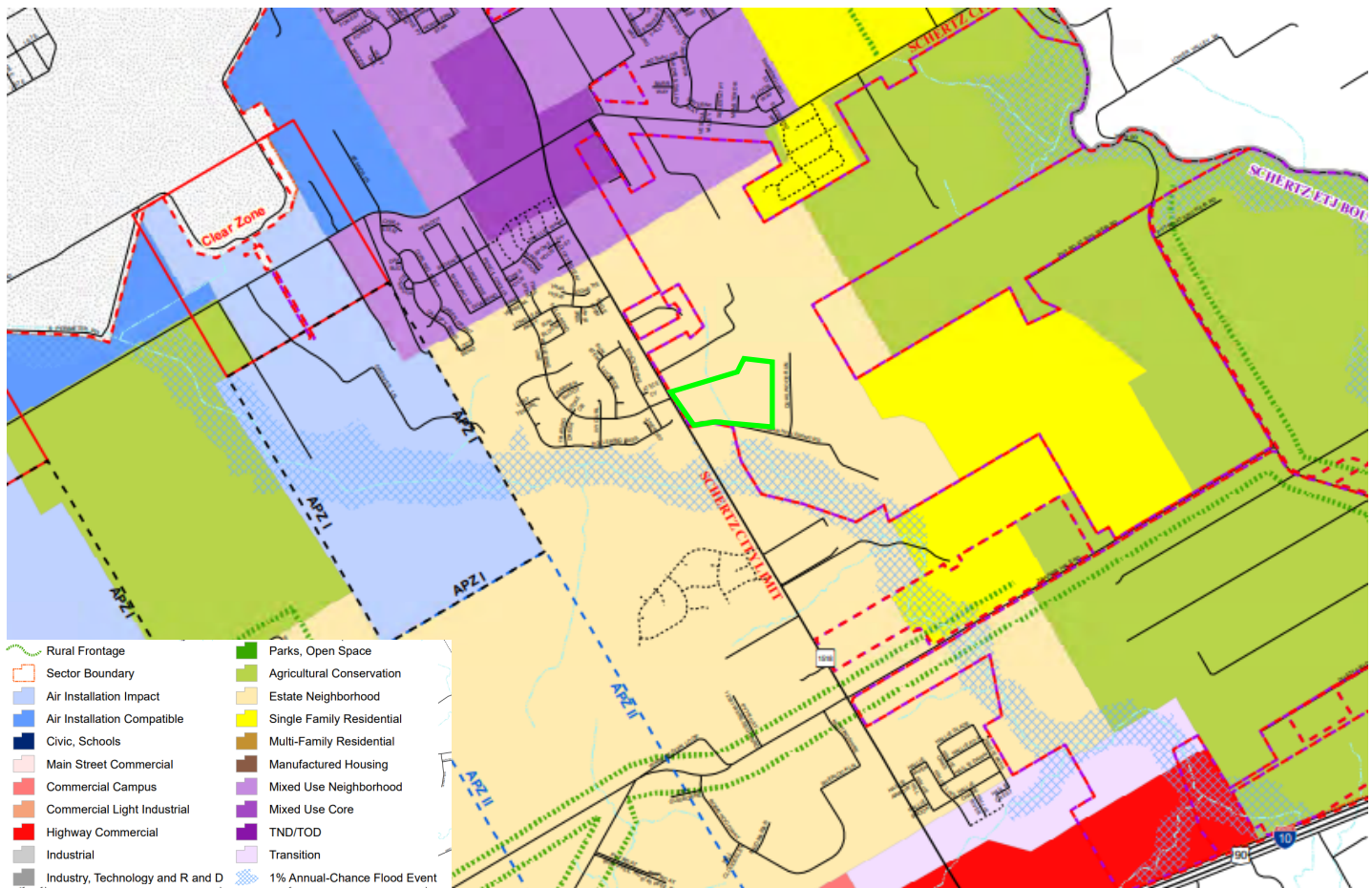
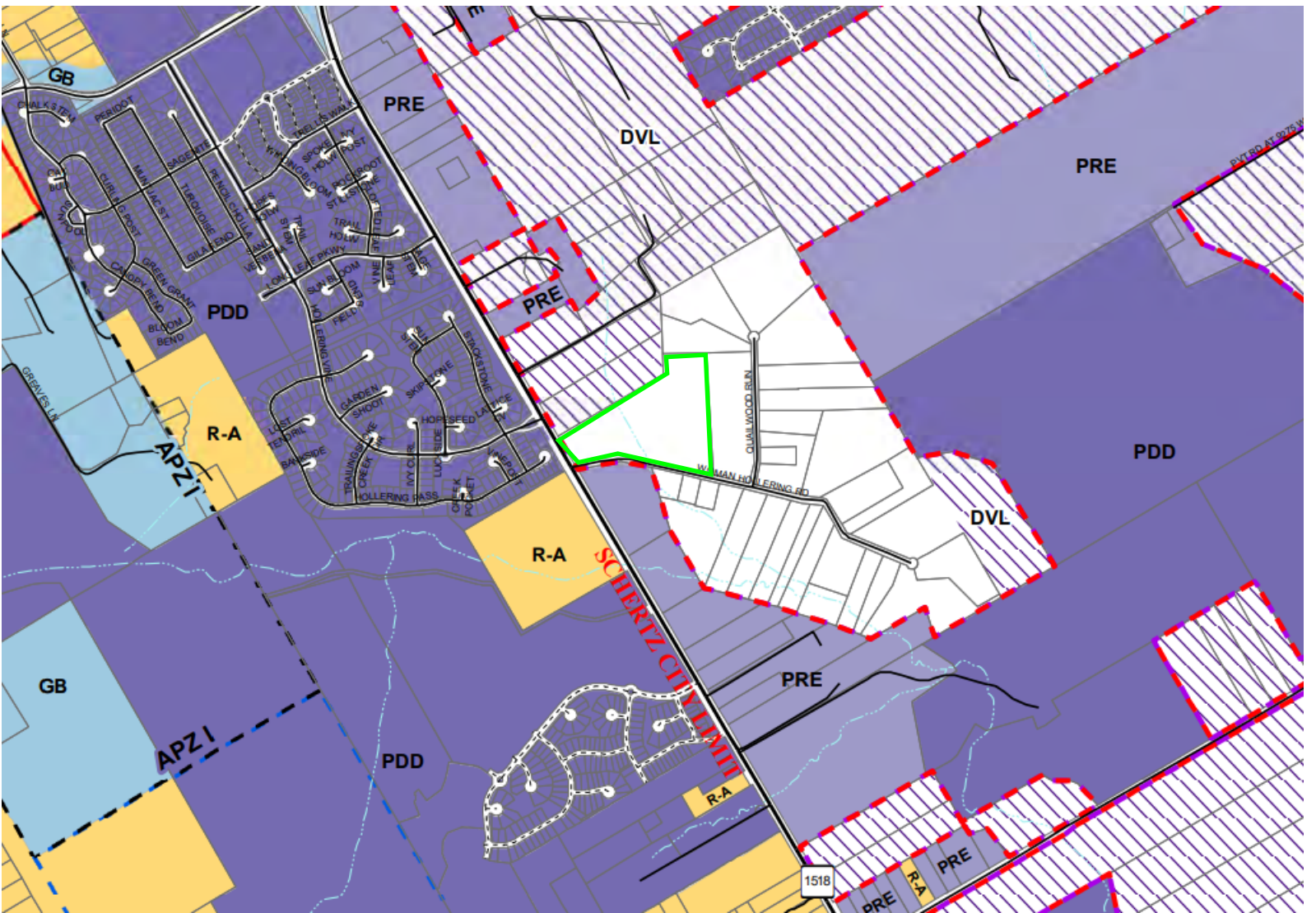
COMPREHENSIVE PLAN EXHIBIT

TITLE SURVEY OF
A 30.48 ACRE TRACT OF
LAND, BEING ALL OF A 30.4
ACRE TRACT OUT OF THE
JULIAN DIAZ SURVEY NO. 66
ABSTRACT NO. 187, COUNTY
BLOCK 5059, SITUATED IN TH
CITY OF SCHERTZ CONVEYED
TO CHRISTA S. CARMACK OF
RECORD IN VOLUME 15302
PAGE 963 OF THE OFFICIAL
PUBLIC RECORDS OF REAL
PROPERTY OF BEXAR COUNTY
TEXAS.

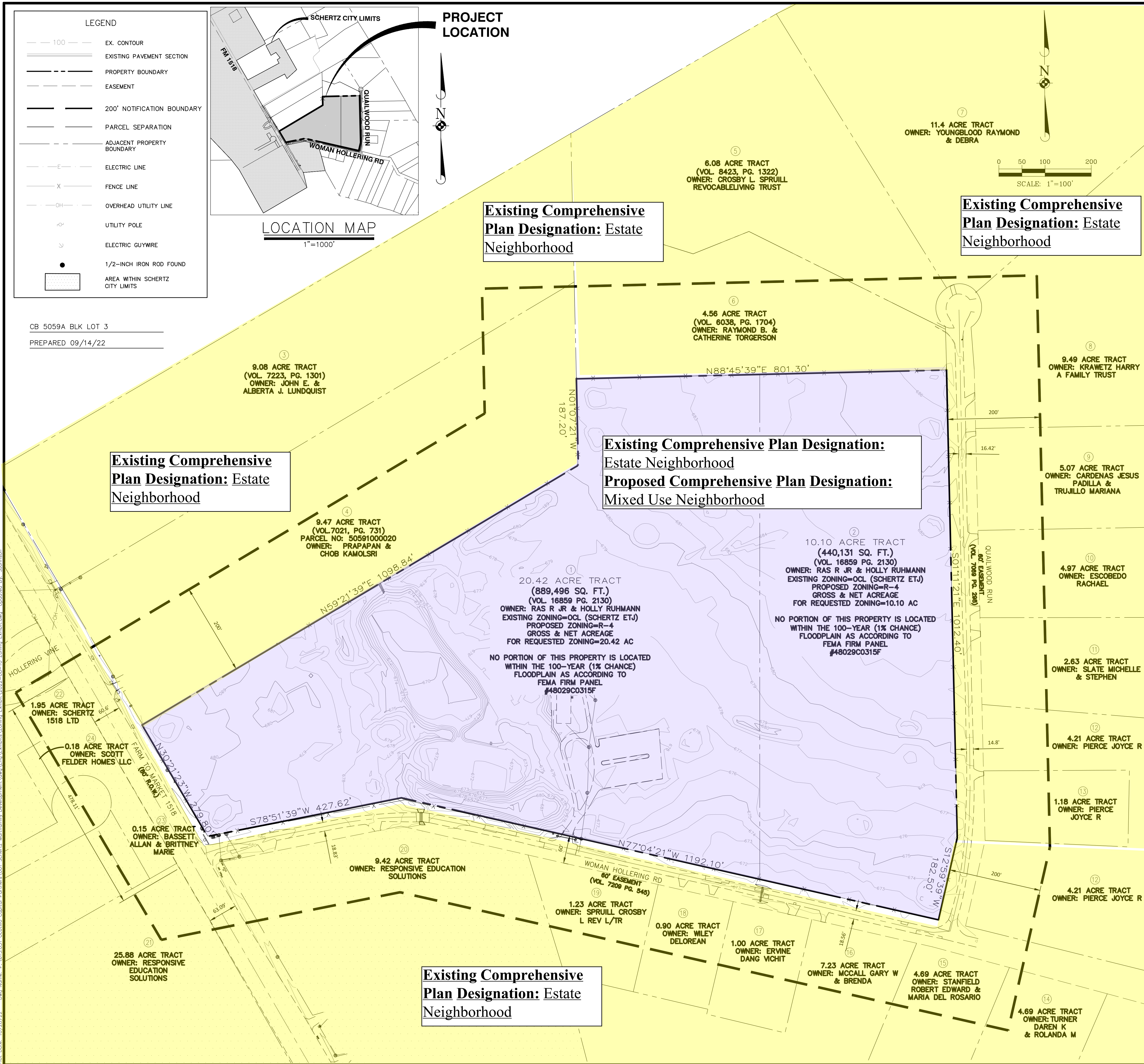
PROJ. MGR.: ZRS
PROJ. ASSOC.: AMP
DRAWN BY: SEJ
DATE: 09/14/22

SHEET
EX
615.031

PENDING



- Rural Frontage
- Sector Boundary
- Air Installation Impact
- Air Installation Compatible
- Civic, Schools
- Main Street Commercial
- Commercial Campus
- Commercial Light Industrial
- Highway Commercial
- Industrial
- Industry, Technology and R and D
- Parks, Open Space
- Agricultural Conservation
- Estate Neighborhood
- Single Family Residential
- Multi-Family Residential
- Manufactured Housing
- Mixed Use Neighborhood
- Mixed Use Core
- TND/TOD
- Transition
- 1% Annual-Chance Flood Event



PROPERTIES IN 200' NOTIFICATION AREA					
	PROPERTY ID NO.	OWNER NAME + ADDRESS	LAND USE	CITY JURISDICTION + ZONING	SUBDIVISION AND/OR LEGAL DESCRIPTION
1	1150385	RUHMANN RAS R JR & HOLLY 12535 WOMAN HOLLERING RD SCHERTZ, TX 78154-4500	RESIDENTIAL	SCHERTZ ETJ PROPOSED: R-4	CB 5059A BLK LOT 3 EXC SW IRR 21.21FT & LOT W 80.65 FT OF 24 & 25
2	310128	RUHMANN RAS R JR & HOLLY 12535 WOMAN HOLLERING RD SCHERTZ, TX 78154-4500	RESIDENTIAL	SCHERTZ ETJ PROPOSED: R-4	CB 5059A BLK LOT E 400.65FT OF 24 & 25
3	310125	LUNDQUIST JOHN E & ALBERTA REVOCABLE LIVING TRUST 8630 E FM 1518 N SCHERTZ, TX 78154-6075	RESIDENTIAL	SCHERTZ ETJ	CB 5059A BLK LOT 1 EXC SW IRR 20FT REFER TO: 05059-100-0010
4	310126	KAMOLRSI PRAPRAPAN T & CHOB 7475 E FM 1518 N SCHERTZ, TX 78154-6067	RESIDENTIAL	SCHERTZ ETJ	CB 5059A BLK LOT 2 EXC SW IRR 20FT
5	310193	SPRULL CROSBY L REV L/TR 8815 QUAILWOOD RUN SCHERTZ, TX 78154-4512	RESIDENTIAL	SCHERTZ ETJ	CB 5059A BLK LOT N IRR 83.2 FT OF 23
6	310194	TORGERSON RAYMOND B & CATHERINE C 8795 QUAILWOOD RUN SCHERTZ, TX 78154-4511	RESIDENTIAL	SCHERTZ ETJ	CB 5059A BLK LOT 23A & S IRR 88.2 FT OF 23 ARE 23B
7	310183	YOUNGBLOOD RAYMOND & DEBRA 8825 QUAILWOOD RUN SCHERTZ, TX 78154-4512	RESIDENTIAL	SCHERTZ ETJ	CB 5059A BLK LOT 22
8	310182	KRAWETZ HARRY A FAMILY TRUST 8770 QUAILWOOD RUN SCHERTZ, TX 78154-4511	RESIDENTIAL	SCHERTZ ETJ	CB: 5059A LOT: 21 REFER TO: 05059-100-0210
9	310190	CARDENAS JESUS PADILLA & TRUJILLO MARIANA 8730 QUAILWOOD RUN SCHERTZ, TX 78154	RESIDENTIAL	SCHERTZ ETJ	CB: 5059A LOT: 20
10	310189	ESCOBEDO RACHAEL 8730 QUAILWOOD RUN SCHERTZ, TX 78154	RESIDENTIAL	SCHERTZ ETJ	CB: 5059A BLK LOT 20A, 20B & 20C
11	1103239	SLATE MICHELLE & STEPHEN 8600 QUAILWOOD RUN SCHERTZ, TX 78154-4510	RESIDENTIAL	SCHERTZ ETJ	CB 5059A BLK LOT N IRR 187.7 FT OF 26
12	310198	PIERCE JOYCE R 8540 QUAILWOOD RUN SCHERTZ, TX 78154-4509	RESIDENTIAL	SCHERTZ ETJ	CB 5059A BLK LOT S IRR 190.4 FT OF 26
13	310199	PIERCE JOYCE R 8540 QUAILWOOD RUN SCHERTZ, TX 78154-4509	RESIDENTIAL	SCHERTZ ETJ	CB 5059A BLK LOT 26A
14	1235774	TURNER DAREN K & ROLANDA W 12700 WOMAN HOLLERING RD SCHERTZ, TX 78154-4508	RESIDENTIAL	SCHERTZ ETJ	CB 5059A BLK LOT E 207.50FT OF 12
15	310158	STANFIELD ROBERT EDWARD & MARIA DEL ROSARIO 12654 WOMAN HOLLERING RD SCHERTZ, TX 78154	RESIDENTIAL	SCHERTZ ETJ	CB 5059A BLK LOT W 207.50FT OF 12
16	310156	MCCALL GARY W & BRENDA 12612 WOMAN HOLLERING RD SCHERTZ, TX 78154-4501	RESIDENTIAL	SCHERTZ ETJ	CB 5059A BLK LOT E IRR 222 FT OF 11
17	310154	ERVINE DANG VICHIT 12570 WOMAN HOLLERING RD SCHERTZ, TX 78154	RESIDENTIAL	SCHERTZ ETJ	CB 5059A BLK LOT W 176.4 FT OF E 398.4 FT OF 11
18	310155	WILEY DELOREAN 12566 WOMAN HOLLERING RD SCHERTZ, TX 78154	RESIDENTIAL	SCHERTZ ETJ	CB 5059A BLK LOT E 186.9 FT OF W 456.6 FT OF 11
19	310157	SPRULL CROSBY L REV L/TR 8815 QUAILWOOD RUN SCHERTZ, TX 78154-4512	RESIDENTIAL	SCHERTZ ETJ	CB 5059A BLK LOT W IRR 269.3' OF TR 11
20	990493	RESPONSIVE EDUCATION SOLUTIONS 1301 WATERS RIDGE DR LEWISVILLE, TX 75057-6022	EDUCATIONAL	CITY OF SCHERTZ PRE	CB 5059A BLK LOT TR-4A (3.42 AC), TR-4B (3.0 AC) & TR-4C (3.0 AC)
21	1154397	RESPONSIVE EDUCATION SOLUTIONS 1301 WATERS RIDGE DR LEWISVILLE, TX 75057-6022	EDUCATIONAL	CITY OF SCHERTZ R-A	CB 5059P (THE WASHINGTON Tyrannous School Of The Arts)
22	1337410	SCHERTZ 1518 LTD % PRICE COMPANIES 314 E Commerce ST STE 600 SAN ANTONIO, TX 78205-2957	RESIDENTIAL	CITY OF SCHERTZ PDD	CB 5059P (THE CROSSVINE MOD-1 UT-3 - PH-B), BLOCK 5 LOT 19 \\LANDSCAPE LOT//
23	1337409	BASSETT ALLAN & THE BRITNEY MARIE 11121 HOLLERING PASS SCHERTZ, TX 78154	RESIDENTIAL	CITY OF SCHERTZ PDD	CB 5059P (THE CROSSVINE MOD-1 UT-3 - PH-B), BLOCK 5 LOT 18
24	1337411	SCOTT FELDER HOMES LLC 6414 RIVER PLACE BLVD STE 100 AUSTIN, TX 78730-1158	RESIDENTIAL	CITY OF SCHERTZ PDD	CB 5059P (THE CROSSVINE MOD-1 UT-3 - PH-B), BLOCK 5 LOT 20

[illegible]

NOTICE OF PUBLIC HEARING

November 3, 2022

Dear Property Owner,

The Schertz Planning and Zoning Commission will conduct a public hearing on **Wednesday, November 16, 2022** at **6:00 p.m.** located at the Municipal Complex Council Chambers, 1400 Schertz Parkway, Building #4, Schertz, Texas to consider and make recommendation on the following item:

PLCPA20220164— A request to amend the Comprehensive Land Use Plan by changing approximately 31 acres of the Future Land Use Map from the Estate Neighborhood land use designation to the Mixed-Use Neighborhood land use designation, generally located east of the intersection of FM 1518 and Woman Hollering Road, also known as 12535 Woman Hollering Road, also known as Bexar County Property Identification Numbers, 1150385 and 310128 Bexar County, Texas.

The Planning and Zoning Commission would like to hear how you feel about this request and invites you to attend the public hearing. *This form is used to calculate the percentage of landowners that support and oppose the request.* You may return the reply form below prior to the first public hearing date by mail or personal delivery to Emily Delgado, Planning Manager, 1400 Schertz Parkway, Schertz, Texas 78154, or by e-mail edelgado@schertz.com. If you have any questions, please feel free to call Emily Delgado, Planning Manager directly at (210) 619-1784.

Sincerely,



Emily Delgado
Planning Manager

Reply Form

I am: in favor of ☐ opposed to ☒ neutral to ☐ the request for **PLCPA20220164**

COMMENTS: WE HAVE THE GREATEST EXPOSURE AND IMPACT

NAME: RAYMOND B. TORGERSON
(PLEASE PRINT)

SIGNATURE



STREET ADDRESS: 8795 QUAILWOOD RUN, SCHERTZ TX

DATE: 08 NOV 2022

Emily Delgado

From: Cathy Torgerson
Sent: Wednesday, November 9, 2022 4:09 PM
To: Emily Delgado
Subject: Rezoning request submitted by R & H Ruhmanns

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Ms. Delgado,

Ms. Starr said it would be best to at least get our objections to this Rezoning request in writing to be included in the public record. We did not enumerate the reasons we find this plan unacceptable on our zoning sheets we returned to you.

This is a rural community and we desire to keep it as such. This is what we expected when we purchased this property and I believe we should be able to count on that representation. We are simply too old to start over some place else.

Apartments overlooking our back yard would be intrusive in the extreme. It will most certainly affect the value of our home should we ever HAVE to sell due to health reasons or other mitigating circumstances. Who would want this place if you had to be overlooked by apartments?

Thank you for your time and we will see you on November 16th.

Sincerely,
Raymond & Catherine Torgerson

Sent from my iPad

Reply Form

I am: in favor of ☐ opposed to ☒ neutral to ☐ the request for **PLCPA20220164**

COMMENTS: This rezoning proposal is not appropriate for our rural neighborhood.

NAME: ROBERT STANFIELD
(PLEASE PRINT)

SIGNATURE Robert Stanfield

STREET ADDRESS: 12654 WOMAN HOLLERING ROAD

DATE: 11/9/2022

Mark Stanfield



NOTICE OF PUBLIC HEARING

November 3, 2022

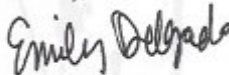
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Sincerely,

Emily Delgado
Planning Manager

Reply Form

I am: in favor of ☐ opposed to ☒ neutral to ☐ the request for **PLCPA20220164**COMMENTS: **See below for Comments**NAME: **Emily Torgerson** SIGNATURE 
(PLEASE PRINT)STREET ADDRESS: **11305 Hollering Pass (The Crossvine) - Inheritance Property - 8795 Quailwood Run, Schertz TX 78154**DATE: **Nov. 9, 2022**

My name is Emily Torgerson, Senior Vice President of Strategic Communications for Phillips Infrastructure Holdings, Inc. - a women-owned heavy civil contractor. My husband and I strongly OPPOSE this zoning change. My parents, Col. and Mrs. Torgerson, currently live at 8795 Quailwood Run. This property is set to be my inheritance property and a place in which I hope to pass on to my children. The 31-acre property in question shares a common boundary with my inheritance property, and re-zoning the property to include apartments will significantly decrease the value of my property. Additionally, I have purchased a new build in The Crossvine community directly across from the property in question. Our new house will be on Hollering Pass, very close to 1518. Had I been aware that this was a potential - and attempt for those property owners just to make money with no regard for their neighbors - I would have not bought the property in The Crossvine neighborhood. My husband, also an attorney, and I are vehemently opposed to this re-zoning change and will do everything in our power to stop it. We are open to a reasonable solution - just not one that will significantly change our ability to enjoy and live on our family's property for years to come.



BRYLAK
— LAW —

Brylak & Associates, LLC

San Antonio:
15900 La Cantera Pkwy., Ste. 19245
San Antonio, Texas 78256
210.733.5533

Colorado Springs:
2 N. Cascade Ave., Ste. 1120
Colorado Springs, Colorado 80903
719.224.4444

Pueblo:
121 W. City Center Dr., Ste. 200A
Pueblo, Colorado 81003
719.224.4444

Toll Free: 866.883.5533
Fax: 210.558.4804

www.brylaklaw.com

November 9, 2022

Hon. Mayor Ralph Gutierrez
Hon. Schertz City Council Members
City Council Chambers
1400 Schertz Parkway, Bldg 4
Schertz, TX 78154

Re: My Client: Colonel Raymond Bruce Torgerson, USAF, Retired
Mrs. Catherine Torgerson
RE: PUBLIC HEARING 11/16/22
PLCPA20220164
PLZC20220175

Honorable Council Members:

I represent the Torgersons, owners of 8795 Quailwood Run, Schertz, TX 78154 which is located in the "Tom Williams" subdivision of South Schertz. The Torgersons have owned this property for nearly three decades. It shares a long common boundary (approximately 800 feet) with 12535 Woman Hollering Road, owned by the Ruhmanns.

The Ruhmanns have unilaterally, and for their own economic enrichment, asked the City of Schertz to enact a new zoning plan for their property, converting it from an "Estate Neighborhood" designation to a "Mixed Use Neighborhood" classified as an R-4, allowing developers to erect apartments on the previously serene thirty acres. A public hearing is scheduled to take place regarding the proposals on November 16, 2022.

I write this letter on behalf of the Torgersons first and foremost to appeal to your sense of community trust. We ask you to deny the proposed rezoning plan as being against public interest. Enactment of the proposed rezoning plan would be nothing short of a betrayal of decades of community trust and signal to the public that if they rely on the city and its assurances, they do so to their detriment. Additionally, the proposed rezoning plan runs counter to the interests of Schertz, which has historically vowed to "preserve the rural character of South Schertz."

I also write to alert you to legal peril the city will open itself up to if it enacts new zoning plans. **If the city enacts the Ruhmanns' requested new zoning plan, the Torgersons (and any other property owners who have standing and wish to join) will file suit against the city for enacting the new zoning plan to the detriment of nearby and neighboring property owners without first completing a takings impact assessment, as required by the Real Property Rights Preservation Act. We will seek a declaration of the invalidity of the governmental action as well as attorneys' fees and costs.**

1. Granting Ruhmanns' Unilateral Request for a New Zoning Plan For Their Own Enrichment Will Destroy Community Trust

The Torgersons spent the entirety of their adult life in service to the United States Air Force. Colonel Torgerson actively served all over the world and all over the United States of America for decades. When the Air Force relocated the Torgersons to San Antonio in the early 1990's, they began renting the house at 8795 Quailwood Run. In 1994, an opportunity to purchase the home presented itself to the Torgersons, and they jumped at the chance. The family's deployments and relocations continued over the years, but the Torgersons never lost sight of the goal-- one day they would retire to Quailwood Run in Schertz, Texas on their own little piece of paradise.

Week after week, month after month, and year after year, the Torgersons put in the work to ready their home for the day they could retire. With their own hands, the Torgersons perfected the landscaping. By their own sweat and with their own tools, the Torgersons erected an arbor and pavilion. Under their own strength, the Torgersons constructed a workshop. Finally, five years ago, the Torgersons were able to fully retire to their Schertz oasis.

Even in retirement, the Torgersons didn't stop perfecting their parcel. With their children, the Torgersons built a pool house. With their grandchildren, the Torgersons blazed trails for exploring and made a treehouse. As a finishing touch, the Torgersons reached into their retirement savings and installed an outdoor kitchen so they could spend as much time outside as possible, enjoying the fruits of three-decades worth of labor, grit, and sweat.

NOW COMES THE NOTICE: The Ruhmanns want the city to enact a new plan for their property—one that will allow them to erect apartment complexes that will tower over not only the Torgersons' home, but also each and every resident of the subdivision who placed their trust in the City of Schertz when it issued the Comprehensive Land Plan, Future Land Use Map, and 2013 Sector Plan Amendment.

A change in the zoning plan for the Ruhmanns' property will have a detrimental effect the Torgersons' property, to be sure. But more broadly, changing the zoning plan for the Ruhmanns' property will have a detrimental effect on the Schertz community, as a whole. If a property owner can't rely on the Land Use Plan and Future Use Plan laid out for them by the city in making big life decisions like where to retire or where to invest, what can they rely on the city for?

To maintain the public trust and in the interest of the public good, the Torgersons ask you to follow through on the city's word and keep the subject property zoned as an Estate Neighborhood.

2. Ruhmanns' Rezoning Plan Would Detrimentally Affect the Community

For nearly half a century, the Ruhmanns' property has been zoned as an "Estate Neighborhood." As recently as this year, the Schertz City Council affirmed "[t]he Estate Neighborhood land use designation is designed similar to the Agricultural Conservation designation, which is intended to preserve the rural character of South Schertz." However, the Ruhmanns now ask permission to pack up to 600 apartment units into this rural space. Enacting such a change would drastically, sweepingly, and immediately change the rural character of South Schertz. For decades, the city of Schertz has proclaimed their interest in keeping South Schertz rural. The change requested by the Ruhmanns is not compatible with that interest.

Not only would the rezoning plan change the exact rural character Schertz proclaims an interest in protecting, but it would also wreak practical havoc on the citizens in the area. Over the last five years, The Crossvine has developed along 1518. This is a beautifully planned suburban community full of wonderful people, but the strain the subdivision has placed on 1518 traffic is evident every morning, afternoon, and evening. Additionally, the council recently approved a plan to erect apartment complexes a couple hundred yards away from the Ruhmanns' property. The approved plan is for 300 multifamily apartment units and will consist of eight three-story buildings with units ranging from one bedroom to four bedrooms—all on a piece of property that's historically housed a single family.

Between construction in The Crossvine, TXDOT Construction, and groundbreaking and construction of the recently approved nearby apartment complex, allowing zoning for an additional, even larger, multi-family development would create a frustrating traffic situation. Even more importantly, the change would create unsafe working conditions for construction and TXDOT workers, as well as burden emergency services in the event they need to respond to an emergency.

We urge you NOT to push rural South Schertz right past "suburban Schertz" and into "urban Schertz" by enacting the proposed rezoning plan, which would allow a developer to stuff over 600 families onto a parcel which has been occupied by no more than a single family for the last half-century. This decision is a tipping point for rural South Schertz, as well as the safety and comfort of its citizens. Please keep South Schertz rural.

3. If Schertz Enacts a New Plan for Ruhmanns' Property, the Private Real Property Rights Preservation Act waives Schertz's Immunity from Suit and Protects Property Owners

If the City of Schertz grants the rezoning plan proposed by the Ruhmanns, every private property owner affected by the rezoning plan will have a cause of action under the Private Real Property Rights Preservation Act ("PRPRPA"). First, under the PRPRPA, any affected property owners could invalidate the rezoning plan because the City of Schertz failed to conduct a "takings impact assessment" as required by the PRPRPA. Second, even if the city conducts the "takings assessment impact" and still proceeds to enact a new zoning plan on the Ruhmanns' property, all private property owners affected by the rezoning will have a cause of action against the city for a governmental "taking."¹

A. PRPRPA: Waiver of Immunity

The Private Real Property Rights Preservation Act became Texas Law in 1995 and operates to waive immunity for a governmental taking of private real property. The PRPRPA defines a governmental "taking" in several ways. Primarily, it defines a governmental taking as *any* "**governmental action** that affects private real property, in whole or part or temporarily or permanently." PRPRPA § 2007.002(5)(A).² PRPRPA *specifically* defines one "**governmental action**" for which immunity is waived as "an action by a municipality that has effect in the extraterritorial jurisdiction...and that enacts or enforces an ordinance, rule, regulation, or plan that does not impose identical requirements or restrictions in the entire extraterritorial jurisdiction." PRPRPA § 2007.003.

The City of Schertz is not immune from suit if it chooses rezone the Ruhmanns' property, thereby affecting private real property of nearby and neighboring owners. Specifically, the Ruhmanns' have *requested* the city take governmental action by issuing a rezoning plan for their property, turning it from OCL (outside city limits) Estate Neighborhood property to an R-4 mixed use neighborhood. The Ruhmanns' property is in the extraterritorial jurisdiction ("ETJ"), as is the Torgersons'. The council is considering enacting new zoning rules/ordinances on a single parcel of land in the ETJ that will not apply to the entire ETJ. This would undeniably have a drastic affect on all nearby and neighboring properties, especially the Torgersons' property, which shares a large common boundary with the Ruhmanns' property. This governmental action falls squarely within the purview of the PRPRPA's waiver of municipal immunity.

¹ For purposes of this letter, PRPRPA is the only "taking" regulation addressed. However, I believe several other governmental immunity waivers may be in play, such as regulatory taking based on unreasonable interference with a property owner's right to use and enjoy property.

² PRPRPA contains additional definitions of "taking" which may also be applicable, such as if governmental action "is a producing cause of a reduction of at least 25 percent in the market value of the affected private real property." § 2007.002(5)(B)(ii).

B. PRPRPA: Takings Impact Assessment and Notice

If a city engages in “governmental action”³ as described above, it “**shall prepare a written takings impact assessment** of a proposed governmental action. PRPRPA § 2007.043 (a).⁴ Further, a city who engages in governmental action “that *may* result in a taking shall provide at least 30 days’ notice of its intent to engage in the proposed action...The political subdivision shall, *at a minimum*, include in the notice a reasonably specific summary of the takings impact assessment that was prepared as is required by this subchapter and the name of the official of the political subdivision from whom a copy of the full assessment may be obtained.” PRPRPA § 2007.042(a). “A private property owner affected by a governmental action taken without the preparation of a takings impact assessment...may bring suit for a declaration of the invalidity of the government action.” PRPRPA § 2007.044(a). If the property owner prevails, the court must award reasonable attorneys’ fees and costs to the property owner. PRPRPA § 2007.044(c).⁵

Undeniably, the city is considering taking “governmental action” as defined by the PRPRPA, as it is considering enacting a new zoning plan for one particular parcel of land—a new zoning plan that is not being considered for the entire ETJ. That “governmental action” will certainly affect “private real property, in whole or part or temporarily or permanently.” The PRPRPA *specifically* contemplates valid of causes of action for all property owners *affected* by governmental action—not just those to whom the action is specifically directed. Accordingly, before the City of Schertz takes “governmental action” that “*may*” constitute a taking it *must* prepare a written takings impact assessment, provide a summary to the public in notice of hearing, and identify where the full assessment can be located.

Schertz has not conducted the required takings impact assessment. Accordingly, if Schertz enacts the requested rezoning plan, **we will seek a declaration of the invalidity of the governmental action as well as attorneys’ fees and costs.**

³ Note that the statute does not state a “taking” must occur for a “taking impacts statement” to be required; it requires a “taking impacts statement” for ANY “government action” as described in the PRPRPA. A city enacting a zoning change to a single parcel of the ETJ clearly falls within “government action” as defined by § 2007.003(3).

⁴ The “takings impact statement” must comply with PRPRPA § 2007.043(b).

⁵ Note that under this provision, the city would *not* be awarded attorney fees if it prevails.

C. PRPRPA: Governmental Taking

The PRPRPA, “a private real property owner may bring suit...to determine whether the governmental action of a political subdivision results in a taking.” PRPRPA § 2007.021. “Whether a governmental action results in a taking is a question of fact.” PRPRPA § 2007.23(a). If a jury finds that a government taking has taken place under the PRPRPA, the government is liable to invalidate the action which resulted in the “taking.” The judgment in favor of the private property owner must have a fact finding that determines the monetary damages suffered by the private property owner. PRPRPA § 2007.024(b). At that point, the governmental entity may elect to pay the damages as compensation to the private real property owner, rather than invalidating its order. PRPRPA § 2007.024(c).

If a private real property owner prevails in a suit under the PRPRPA, the court must award reasonable and necessary attorney’s fees and court costs to the property owner. PRPRPA § 2007.026(a).

For the last several decades, the rural character of South Schertz is what has drawn residents to this subdivision. Both objectively and subjectively, the rural nature of this area is what drives property values. If Schertz takes governmental action and creates a new plan that would allow the largest property in the heart of this subdivision develop everything from Walgreens to massive apartment complexes, the rural character of this subdivision will be eviscerated. With respect to the Torgersons, specifically, I suspect a drastic drop on their home value if the rezoning plan is granted as well as a compensable loss of use and enjoyment of their property, both temporarily and permanently.

Enacting the requested change to the zoning plan currently in place on the Ruhmanns’ property would constitute a governmental taking on the part of the city because the action would adversely affect private real property of neighboring and nearby owners. Accordingly, if the City of Schertz enacts the Ruhmanns’ proposed re-zoning plan, the affected property owners can pursue civil litigation against the city under the PRPRPA.

November 9, 2022

Page 7 of 7

While the Torgersons optimistically believe the City of Schertz will decline to enact a new zoning plan with respect to the Ruhmanns' property, they are prepared to file a lawsuit against the city and have a jury decide if the rezoning of the Ruhmanns' property constitutes an impermissible government taking as it relates to their affected property. We have faith that the City of Schertz will not betray the public trust by erasing decades of precedent and promises with the flick of a pen.

The city proclaims "community, service, and opportunity" to be Schertz core values. I urge you to keep the promises you've made to the rural South Schertz **community**, honor the **service** of several of Schertz's most distinguished active and retired service members who live in the "Tom Williams" subdivision, and allow those in this rural community to realize the **opportunity** they seized upon when they chose South Schertz as home.

Sincerely,



KACIE STARR

Cc: ralphgutierrez@schertz.com
markdavis@schertz.com
markdavis@schertz.com
mdahle@schertz.com
davidscagliola@schertz.com
allisonheyward@schertz.com
timbrown@schertz.com
edelgado@schertz.com
sedmondson@schertz.com

[enclosures]

PLANNING AND ZONING COMMISSION MEETING: 11/16/2022
Agenda Item 5 B

TO: Planning and Zoning Commission
 PREPARED BY: Emily Delgado, Planning Manager
 CASE: PLZC20220124
 SUBJECT: PLZC20220124– Hold a public hearing, consider and make a recommendation on a request to rezone approximately 31 acres of land to Apartment/ Multi-Family Residential (R-4), generally located east of the intersection of FM 1518 and Woman Hollering Road, also known as 12535 Woman Hollering Road, also known as Bexar County Property Identification Numbers, 1150385 and 310128 Bexar County, Texas.

GENERAL INFORMATION:

Owner: Ras R Jr and Holly Ruhmann
 Developer: Ocotillo Capital Partners, Josh Pollock
 Applicant: Killen, Griffin & Farrimond, Delaney Honaker
 Engineer: Manhard Consulting, Zach Steele

APPLICATION SUBMITTAL DATE:

Date	Application Type
August 5, 2022	Request to zone subject property Apartment / Multi-Family Residential (R-4)

PUBLIC NOTICE:

Twenty-three (23) public hearing notices were mailed to the surrounding property owners within two hundred (200) feet of the subject property on November 3, 2022. At the time of this staff report we have received five (5) responses opposed and no responses in favor or neutral to the proposed rezone request.

ITEM SUMMARY:

The applicant has requested to zone the approximately 31 acres of land to Apartment / Multi-Family Residential (R-4). Currently, the subject property is within the City of Schertz Extra Territorial Jurisdiction (ETJ) and does not have an assigned zoning designation. In conjunction with this zoning request the applicant has also submitted a Comprehensive Land Use Plan Amendment and a request for voluntary annexation into the City of Schertz.

Per the letter of intent submitted the applicant / developer would like to develop the subject property as a townhome retail community consisting of 220 residential units situated in clusters with parkland dedication along FM 1518.

LAND USES AND ZONING:

	Zoning	Land Use
Existing	Outside City Limits / No Established Zoning Designation	Rural / Residential
Proposed	Apartment / Multi-Family Residential (R-4)	Multi-Family / Townhome Residential

Adjacent Properties:

	Zoning	Land Use
North	Delayed Annexation Development Agreement / Outside City Limits / No Established Zoning Designation	Rural / Residential

South	Woman Hollering Road	Right-of-Way
East	Quailwood Run	Right-of-Way
West	FM 1518	Right-of-Way

PROPOSED ZONING:

The applicant is proposing to zone approximately 31 acres of land to Apartment / Multi-Family Residential (R-4). The property is currently within the City of Schertz's ETJ and does not have a zoning designation currently. The proposed R-4 would be the subject properties first zoning designation.

The letter of intent indicates the desire is to develop a townhome rental community consisting of 220 residential units situated in clusters. However, since the requested zoning designation is Apartment / Multi-Family Residential (R-4), all uses and densities permitted by the City of Schertz Unified Development Code would be permitted if the proposed zone change were approved.

Per Unified Development Code Article 5 Section 21.5.7 the following dimensional requirements would be applicable if the proposed zone change were approved:

Code	Classification	Min. Lot Size			Min., Yard Setback			Min. Off-Street Parking	Misc. Requirements	
		Area sf	Width ft	Depth ft	Front ft	Side ft	Rear ft	Parking	Max. Height	Max. Cover
R-4	Apartment/Multi-Family	10,000	100	100	25	10	20	1.5 spaces per 1 bedroom unit 2 spaces per 2 bedroom unit 2.5 spaces per 3+ bedroom unit Plus additional guest parking provided at a ratio of 5% of required spaces	35	75%

Additionally, per UDC Article 5 Section 21.5.5 the following would be applicable if the proposed zone change were approved:

The minimum lot size in such district is 10,000 square feet for three (3) units and 1,800 square feet for each additional dwelling unit. The maximum density shall be twenty-four (24) units per acre. Twenty percent (20%) of the total platted area shall be provided as common, usable open space.

CONFORMANCE WITH THE COMPREHENSIVE PLAN:

Currently, the Comprehensive Land Use Plan (CLUP), through the Future Land Use Plan and the South Schertz Sector Plan, designates the subject property as Estate Neighborhood. The Estate Neighborhood land use designation is designed to preserve the rural Southern Schertz by maintaining open space, large lots, and areas with large wooded lots. The land use designation is intended to have large residential lots (1/2 acre min.), maintain 50% of open space, and to encourage cluster neighborhood development.

However, in conjunction with this proposed zoning and voluntary annexation the applicant has also submitted a Comprehensive Land Use Plan Amendment which request the Estate Neighborhood be updated to Mixed-Use Neighborhood. This proposed future land use designation is intended to be comprised of primarily a mixture of retail, restaurant, office, and multifamily residential uses. If the Comprehensive Land Use Plan Amendment were to be approved, the proposed zoning to Apartment / Multi-Family Residential (R-4) would be directly in line with the Mixed-Use Neighborhood future land use designation.

- **Comprehensive Plan Goals and Objectives:** The proposed Mixed-Use Neighborhood land use designation (if approved) is intended to accommodate a mixture of retail, restaurant, office, and multifamily residential uses.
- **Impact of Infrastructure:** The subject property has frontage onto FM 1518, Woman Hollering Road, and Quailwood Run. If the proposed zone change were approved, the next development process would be platting. During the platting process and public infrastructure requirements needed for the property would be evaluated to include water, sewer, and roadway improvements.
- **Impact of Public Facilities/Services:** The subject property is currently within the ETJ, so if the property is annexed into the City of Schertz per Texas Local Government Code (LGC) Chapter 43, the City must provide services to the land on the effective date of the annexation. While some services are provided to the subject property through an interlocal agreement, the City of Schertz must provide police protection, fire protection, emergency medical services, operation and maintenance of streets, solid waste collection, sewer service, and water service.
- **Compatibility with Existing and Potential Adjacent Land Uses:** The subject property is currently surrounded by right of ways (FM 1518, Woman Hollering Road, and Quailwood Run) and rural residential property. The adjacent properties are either within the ETJ or under a delayed annexation development agreement. Per the Comprehensive Land Use Plan, the surrounding properties are designated as Estate Neighborhood land use designation.

STAFF ANALYSIS AND RECOMMENDATION:

The property has requested a Comprehensive Land Use Plan Amendment in order to have the Mixed Use Neighborhood land use designation for the subject property. The Mixed Use Neighborhood Center land use designation encourages the mixture of commercial and residential type developments. This would include retail, restaurant, office and multi-family residential uses. The proposed zoning to Apartment/Multi-Family Residential District (R4) does conform to the proposed Comprehensive Land Use Plan designation.

The South Schertz area, based on recently approved Future Land Use Plan amendments and corresponding zoning changes (Carmel Ranch and Saddlebrook, the 44 acres on Schaefer Road, the 362 acres on Trainer Hale Road, and the 15 acres on FM 1518 approved in 2022) has begun to see a shift from the rural, large lot, agricultural areas to more of the traditional subdivision with a mixture of multifamily to allow open space and amenities. Due to the evolving needs that the City of Schertz is experiencing, allowing this proposed zoning to Apartment / Multi-Family Residential (R-4), would allow the opportunity for working families to live in the area and have quick access to Randolph Air Force Base and Interstate 10.

Based on the change in condition that has been occurring in southern Schertz since 2020 and the growing desire for a mixture of residential housing types and the proposed Comprehensive Land Use Plan Amendment, staff is recommending approval for the requested zoning of Apartment / Multi-Family Residential (R-4) as presented.

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

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

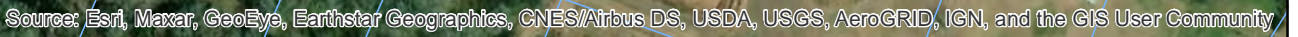
COMMISSIONERS CRITERIA FOR CONSIDERATION:
















The Planning and Zoning Commission is making a recommendation to City Council on the proposed zoning application. In considering action on a zoning application, the Commission should consider the criteria within UDC Article 5, Section, 21.5.4 D.

Attachments



Aerial Map



Public Hearing Notification Map
Zoning Exhibit- Current and Proposed
Zoning Exhibit- Applicant
Public Hearing Responses




 <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

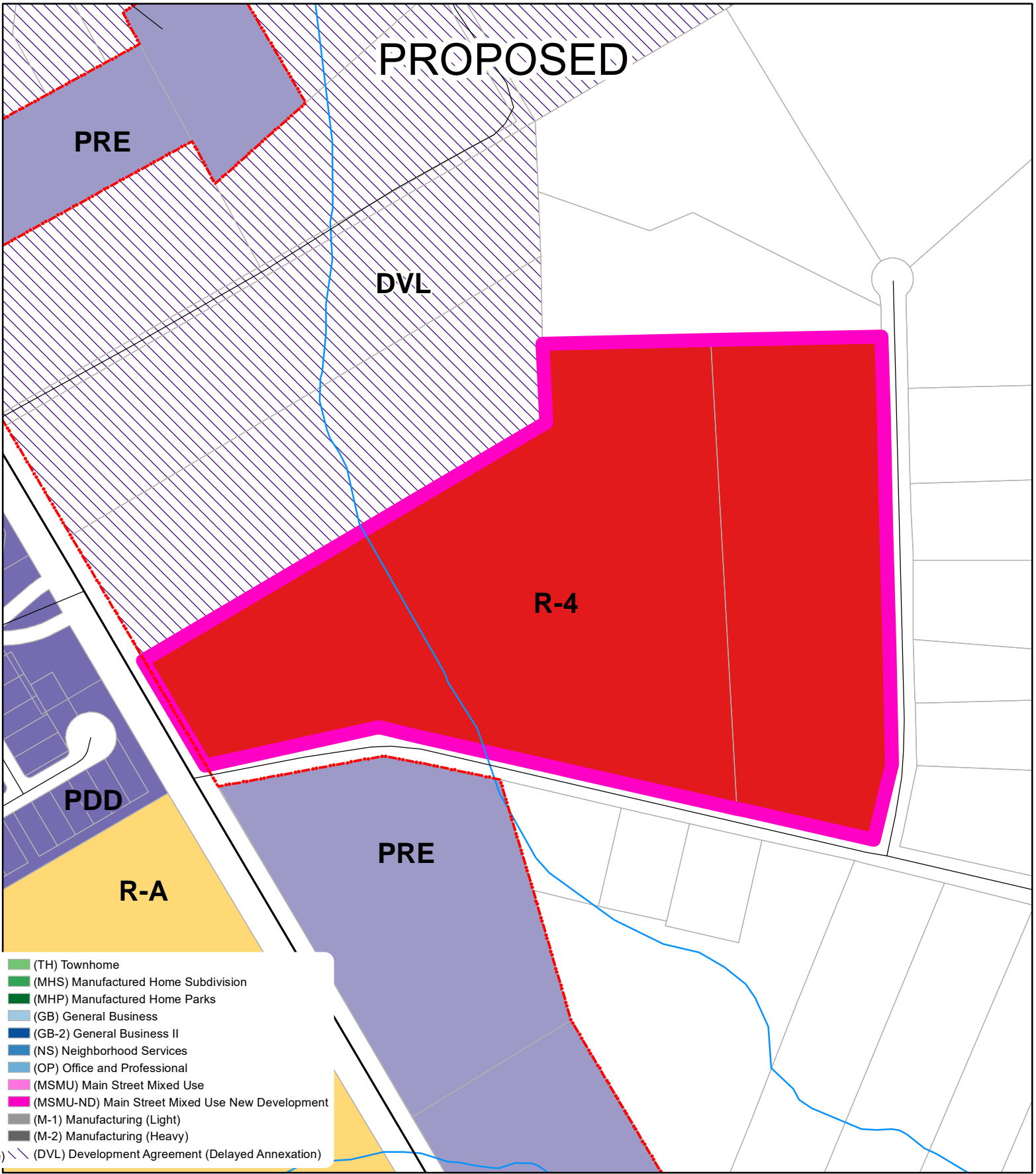
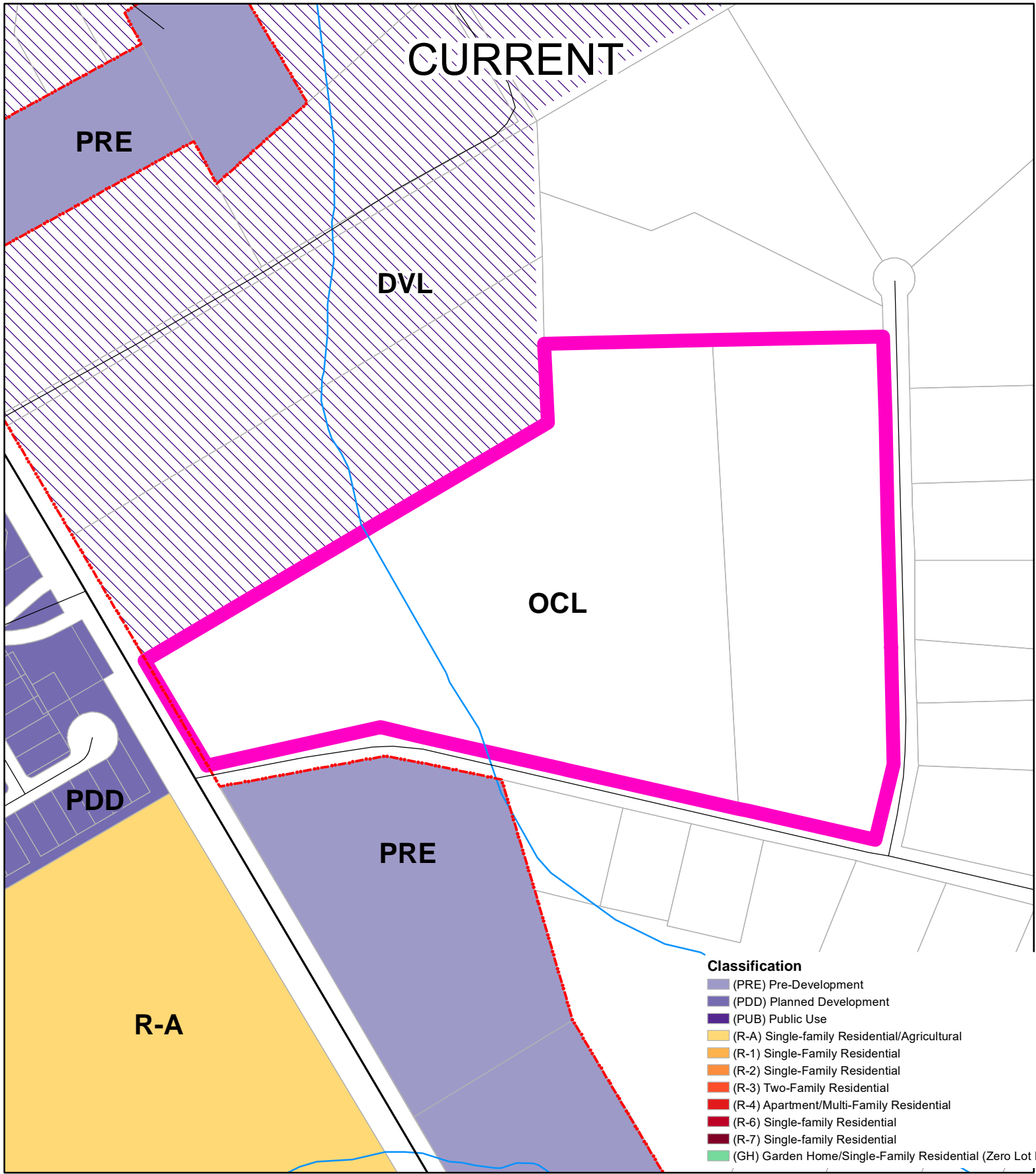
 Manholes
  Schertz Municipal Boundary

 County Boundaries

0 100

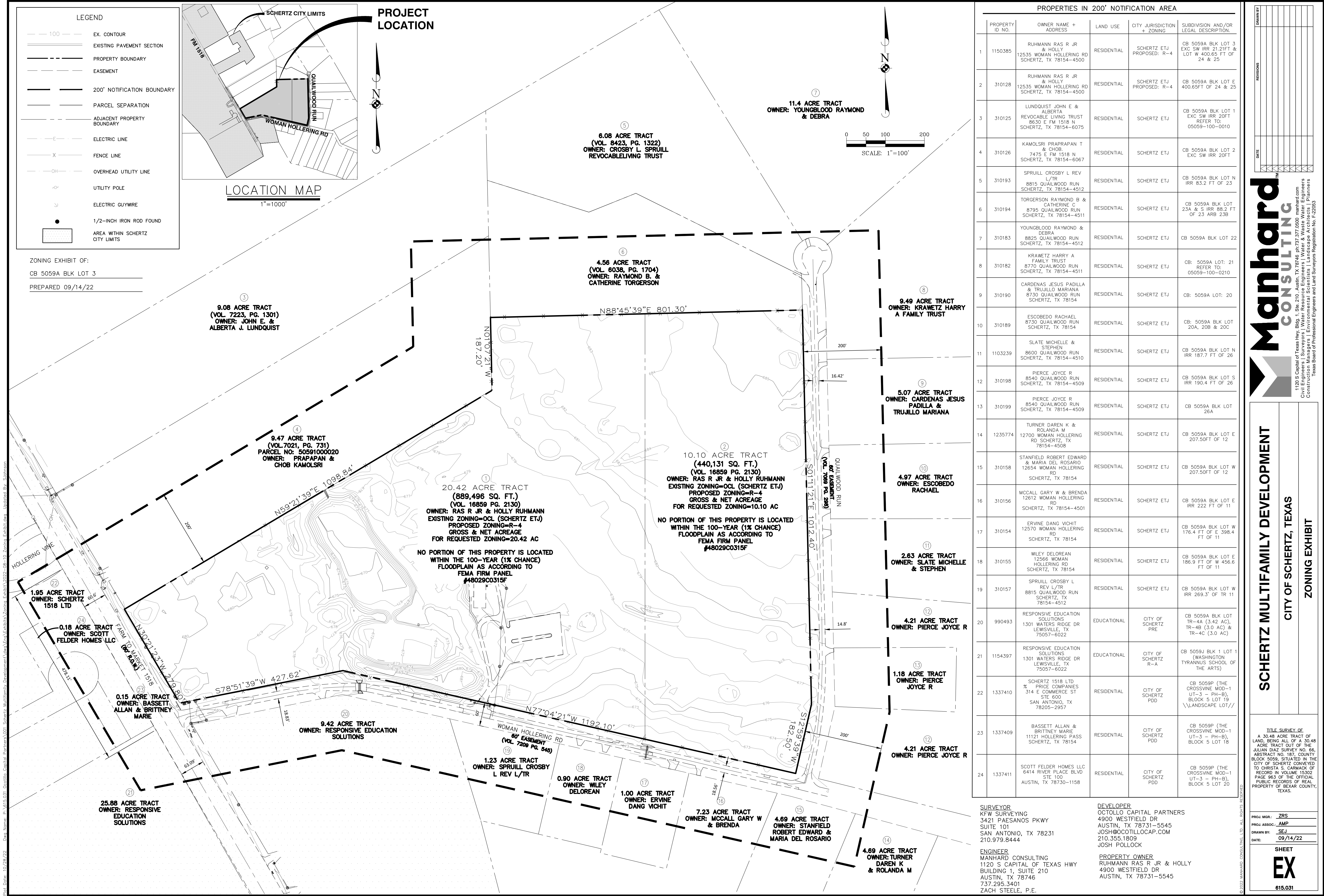


0 100 200 400 600 800 Feet



Proposed Zoning Change

12535 WOMAN HOLLERING RD
(PLZC20220124)
ORD 22-S-



I am: in favor of ☐ opposed to ☒ neutral to ☐ the request for **PLZC20220124**

COMMENTS: This rezoning proposal is not appropriate for our Ruizar neighborhood

NAME: Robert Stanfield SIGNATURE Robert Stanfield
(PLEASE PRINT)

STREET ADDRESS: 12654 Woman Hollering Road

DATE: 11/9/2022

Emily Delgado

From: Cathy Torgerson
Sent: Wednesday, November 9, 2022 4:09 PM
To: Emily Delgado
Subject: Rezoning request submitted by R & H Ruhmanns

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Ms. Delgado,

Ms. Starr said it would be best to at least get our objections to this Rezoning request in writing to be included in the public record. We did not enumerate the reasons we find this plan unacceptable on our zoning sheets we returned to you.

This is a rural community and we desire to keep it as such. This is what we expected when we purchased this property and I believe we should be able to count on that representation. We are simply too old to start over some place else.

Apartments overlooking our back yard would be intrusive in the extreme. It will most certainly affect the value of our home should we ever HAVE to sell due to health reasons or other mitigating circumstances. Who would want this place if you had to be overlooked by apartments?

Thank you for your time and we will see you on November 16th.

Sincerely,
Raymond & Catherine Torgerson

Sent from my iPad

NOTICE OF PUBLIC HEARING

November 3, 2022

Dear Property Owner,

The Schertz Planning and Zoning Commission will conduct a public hearing on **Wednesday, November 16, 2022** at **6:00 p.m.** located at the Municipal Complex Council Chambers, 1400 Schertz Parkway, Building #4, Schertz, Texas to consider and make recommendation on the following item:

PLZC20220124— A request to rezone approximately 31 acres of land to Apartment/ Multi-Family Residential (R-4), generally located east of the intersection of FM 1518 and Woman Hollering Road, also known as 12535 Woman Hollering Road, also known as Bexar County Property Identification Numbers, 1150385 and 310128 Bexar County, Texas.

The Planning and Zoning Commission would like to hear how you feel about this request and invites you to attend the public hearing. *This form is used to calculate the percentage of landowners that support and oppose the request.* You may return the reply form below prior to the first public hearing date by mail or personal delivery to Emily Delgado, Planning Manager, 1400 Schertz Parkway, Schertz, Texas 78154, or by e-mail edelgado@schertz.com. If you have any questions, please feel free to call Emily Delgado, Planning Manager directly at (210) 619-1784.

Sincerely,



Emily Delgado
Planning Manager

Reply Form

I am: in favor of ☐ opposed to ☒ neutral to ☐ the request for **PLZC20220124**

COMMENTS: WE HAVE THE GREATEST EXPOSURE AND IMPACT

NAME: RAYMOND B. TORGERSON SIGNATURE [Signature]
(PLEASE PRINT)

STREET ADDRESS: 8795 Quailwood Run, Schertz TX

DATE: 08 Nov 2022

NOTICE OF PUBLIC HEARING

November 3, 2022

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Sincerely,

Emily Delgado

Emily Delgado
Planning Manager

Reply Form

I am: in favor of ☐ opposed to ☒ neutral to ☐ the request for **PLZC20220124**

COMMENTS: **See below for Comments**

NAME: **Emily Torgerson** SIGNATURE: *Emily Torgerson*
(PLEASE PRINT) **11305 Hollering Pass (The Crossvine) - Inheritance Property - 8795**
STREET ADDRESS: **Quailwood Run, Schertz TX 78154**
DATE: **Nov. 9, 2022**

My name is Emily Torgerson, Senior Vice President of Strategic Communications for Phillips Infrastructure Holdings, Inc. - a women-owned heavy civil contractor. My husband and I strongly OPPOSE this zoning change. My parents, Col. and Mrs. Torgerson, currently live at 8795 Quailwood Run. This property is set to be my inheritance property and a place in which I hope to pass on to my children. The 31-acre property in question shares a common boundary with my inheritance property, and re-zoning the property to include apartments will significantly decrease the value of my property. Additionally, I have purchased a new build in The Crossvine community directly across from the property in question. Our new house will be on Hollering Pass, very close to 1518. Had I been aware that this was a potential - and attempt for those property owners just to make money with no regard for their neighbors - I would have not bought the property in The Crossvine neighborhood. My husband, also an attorney, and I are vehemently opposed to this re-zoning change and will do everything in our power to stop it. We are open to a reasonable solution - just not one that will significantly change our ability to enjoy and live on our family's property for years to come.



BRYLAK
— LAW —

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Toll Free: 866.883.5533
Fax: 210.558.4804

www.brylaklaw.com

November 9, 2022

Hon. Mayor Ralph Gutierrez
Hon. Schertz City Council Members
City Council Chambers
1400 Schertz Parkway, Bldg 4
Schertz, TX 78154

Re: My Client: Colonel Raymond Bruce Torgerson, USAF, Retired
Mrs. Catherine Torgerson
RE: PUBLIC HEARING 11/16/22
PLCPA20220164
PLZC20220175

Honorable Council Members:

I represent the Torgersons, owners of 8795 Quailwood Run, Schertz, TX 78154 which is located in the "Tom Williams" subdivision of South Schertz. The Torgersons have owned this property for nearly three decades. It shares a long common boundary (approximately 800 feet) with 12535 Woman Hollering Road, owned by the Ruhmanns.

The Ruhmanns have unilaterally, and for their own economic enrichment, asked the City of Schertz to enact a new zoning plan for their property, converting it from an "Estate Neighborhood" designation to a "Mixed Use Neighborhood" classified as an R-4, allowing developers to erect apartments on the previously serene thirty acres. A public hearing is scheduled to take place regarding the proposals on November 16, 2022.

I write this letter on behalf of the Torgersons first and foremost to appeal to your sense of community trust. We ask you to deny the proposed rezoning plan as being against public interest. Enactment of the proposed rezoning plan would be nothing short of a betrayal of decades of community trust and signal to the public that if they rely on the city and its assurances, they do so to their detriment. Additionally, the proposed rezoning plan runs counter to the interests of Schertz, which has historically vowed to "preserve the rural character of South Schertz."

I also write to alert you to legal peril the city will open itself up to if it enacts new zoning plans. **If the city enacts the Ruhmanns' requested new zoning plan, the Torgersons (and any other property owners who have standing and wish to join) will file suit against the city for enacting the new zoning plan to the detriment of nearby and neighboring property owners without first completing a takings impact assessment, as required by the Real Property Rights Preservation Act. We will seek a declaration of the invalidity of the governmental action as well as attorneys' fees and costs.**

1. Granting Ruhmanns' Unilateral Request for a New Zoning Plan For Their Own Enrichment Will Destroy Community Trust

The Torgersons spent the entirety of their adult life in service to the United States Air Force. Colonel Torgerson actively served all over the world and all over the United States of America for decades. When the Air Force relocated the Torgersons to San Antonio in the early 1990's, they began renting the house at 8795 Quailwood Run. In 1994, an opportunity to purchase the home presented itself to the Torgersons, and they jumped at the chance. The family's deployments and relocations continued over the years, but the Torgersons never lost sight of the goal-- one day they would retire to Quailwood Run in Schertz, Texas on their own little piece of paradise.

Week after week, month after month, and year after year, the Torgersons put in the work to ready their home for the day they could retire. With their own hands, the Torgersons perfected the landscaping. By their own sweat and with their own tools, the Torgersons erected an arbor and pavilion. Under their own strength, the Torgersons constructed a workshop. Finally, five years ago, the Torgersons were able to fully retire to their Schertz oasis.

Even in retirement, the Torgersons didn't stop perfecting their parcel. With their children, the Torgersons built a pool house. With their grandchildren, the Torgersons blazed trails for exploring and made a treehouse. As a finishing touch, the Torgersons reached into their retirement savings and installed an outdoor kitchen so they could spend as much time outside as possible, enjoying the fruits of three-decades worth of labor, grit, and sweat.

NOW COMES THE NOTICE: The Ruhmanns want the city to enact a new plan for their property—one that will allow them to erect apartment complexes that will tower over not only the Torgersons' home, but also each and every resident of the subdivision who placed their trust in the City of Schertz when it issued the Comprehensive Land Plan, Future Land Use Map, and 2013 Sector Plan Amendment.

A change in the zoning plan for the Ruhmanns' property will have a detrimental effect the Torgersons' property, to be sure. But more broadly, changing the zoning plan for the Ruhmanns' property will have a detrimental effect on the Schertz community, as a whole. If a property owner can't rely on the Land Use Plan and Future Use Plan laid out for them by the city in making big life decisions like where to retire or where to invest, what can they rely on the city for?

To maintain the public trust and in the interest of the public good, the Torgersons ask you to follow through on the city's word and keep the subject property zoned as an Estate Neighborhood.

2. Ruhmanns' Rezoning Plan Would Detrimentally Affect the Community

For nearly half a century, the Ruhmanns' property has been zoned as an "Estate Neighborhood." As recently as this year, the Schertz City Council affirmed "[t]he Estate Neighborhood land use designation is designed similar to the Agricultural Conservation designation, which is intended to preserve the rural character of South Schertz." However, the Ruhmanns now ask permission to pack up to 600 apartment units into this rural space. Enacting such a change would drastically, sweepingly, and immediately change the rural character of South Schertz. For decades, the city of Schertz has proclaimed their interest in keeping South Schertz rural. The change requested by the Ruhmanns is not compatible with that interest.

Not only would the rezoning plan change the exact rural character Schertz proclaims an interest in protecting, but it would also wreak practical havoc on the citizens in the area. Over the last five years, The Crossvine has developed along 1518. This is a beautifully planned suburban community full of wonderful people, but the strain the subdivision has placed on 1518 traffic is evident every morning, afternoon, and evening. Additionally, the council recently approved a plan to erect apartment complexes a couple hundred yards away from the Ruhmanns' property. The approved plan is for 300 multifamily apartment units and will consist of eight three-story buildings with units ranging from one bedroom to four bedrooms—all on a piece of property that's historically housed a single family.

Between construction in The Crossvine, TXDOT Construction, and groundbreaking and construction of the recently approved nearby apartment complex, allowing zoning for an additional, even larger, multi-family development would create a frustrating traffic situation. Even more importantly, the change would create unsafe working conditions for construction and TXDOT workers, as well as burden emergency services in the event they need to respond to an emergency.

We urge you NOT to push rural South Schertz right past "suburban Schertz" and into "urban Schertz" by enacting the proposed rezoning plan, which would allow a developer to stuff over 600 families onto a parcel which has been occupied by no more than a single family for the last half-century. This decision is a tipping point for rural South Schertz, as well as the safety and comfort of its citizens. Please keep South Schertz rural.

3. If Schertz Enacts a New Plan for Ruhmanns' Property, the Private Real Property Rights Preservation Act waives Schertz's Immunity from Suit and Protects Property Owners

If the City of Schertz grants the rezoning plan proposed by the Ruhmanns, every private property owner affected by the rezoning plan will have a cause of action under the Private Real Property Rights Preservation Act ("PRPRPA"). First, under the PRPRPA, any affected property owners could invalidate the rezoning plan because the City of Schertz failed to conduct a "takings impact assessment" as required by the PRPRPA. Second, even if the city conducts the "takings assessment impact" and still proceeds to enact a new zoning plan on the Ruhmanns' property, all private property owners affected by the rezoning will have a cause of action against the city for a governmental "taking."¹

A. PRPRPA: Waiver of Immunity

The Private Real Property Rights Preservation Act became Texas Law in 1995 and operates to waive immunity for a governmental taking of private real property. The PRPRPA defines a governmental "taking" in several ways. Primarily, it defines a governmental taking as *any* "**governmental action** that affects private real property, in whole or part or temporarily or permanently." PRPRPA § 2007.002(5)(A).² PRPRPA *specifically* defines one "**governmental action**" for which immunity is waived as "an action by a municipality that has effect in the extraterritorial jurisdiction...and that enacts or enforces an ordinance, rule, regulation, or plan that does not impose identical requirements or restrictions in the entire extraterritorial jurisdiction." PRPRPA § 2007.003.

The City of Schertz is not immune from suit if it chooses rezone the Ruhmanns' property, thereby affecting private real property of nearby and neighboring owners. Specifically, the Ruhmanns' have *requested* the city take governmental action by issuing a rezoning plan for their property, turning it from OCL (outside city limits) Estate Neighborhood property to an R-4 mixed use neighborhood. The Ruhmanns' property is in the extraterritorial jurisdiction ("ETJ"), as is the Torgersons'. The council is considering enacting new zoning rules/ordinances on a single parcel of land in the ETJ that will not apply to the entire ETJ. This would undeniably have a drastic affect on all nearby and neighboring properties, especially the Torgersons' property, which shares a large common boundary with the Ruhmanns' property. This governmental action falls squarely within the purview of the PRPRPA's waiver of municipal immunity.

¹ For purposes of this letter, PRPRPA is the only "taking" regulation addressed. However, I believe several other governmental immunity waivers may be in play, such as regulatory taking based on unreasonable interference with a property owner's right to use and enjoy property.

² PRPRPA contains additional definitions of "taking" which may also be applicable, such as if governmental action "is a producing cause of a reduction of at least 25 percent in the market value of the affected private real property." § 2007.002(5)(B)(ii).

B. PRPRPA: Takings Impact Assessment and Notice

If a city engages in “governmental action”³ as described above, it “**shall prepare a written takings impact assessment** of a proposed governmental action. PRPRPA § 2007.043 (a).⁴ Further, a city who engages in governmental action “that *may* result in a taking shall provide at least 30 days’ notice of its intent to engage in the proposed action...The political subdivision shall, *at a minimum*, include in the notice a reasonably specific summary of the takings impact assessment that was prepared as is required by this subchapter and the name of the official of the political subdivision from whom a copy of the full assessment may be obtained.” PRPRPA § 2007.042(a). “A private property owner affected by a governmental action taken without the preparation of a takings impact assessment...may bring suit for a declaration of the invalidity of the government action.” PRPRPA § 2007.044(a). If the property owner prevails, the court must award reasonable attorneys’ fees and costs to the property owner. PRPRPA § 2007.044(c).⁵

Undeniably, the city is considering taking “governmental action” as defined by the PRPRPA, as it is considering enacting a new zoning plan for one particular parcel of land—a new zoning plan that is not being considered for the entire ETJ. That “governmental action” will certainly affect “private real property, in whole or part or temporarily or permanently.” The PRPRPA *specifically* contemplates valid of causes of action for all property owners *affected* by governmental action—not just those to whom the action is specifically directed. Accordingly, before the City of Schertz takes “governmental action” that “*may*” constitute a taking it *must* prepare a written takings impact assessment, provide a summary to the public in notice of hearing, and identify where the full assessment can be located.

Schertz has not conducted the required takings impact assessment. Accordingly, if Schertz enacts the requested rezoning plan, **we will seek a declaration of the invalidity of the governmental action as well as attorneys’ fees and costs.**

³ Note that the statute does not state a “taking” must occur for a “taking impacts statement” to be required; it requires a “taking impacts statement” for ANY “government action” as described in the PRPRPA. A city enacting a zoning change to a single parcel of the ETJ clearly falls within “government action” as defined by § 2007.003(3).

⁴ The “takings impact statement” must comply with PRPRPA § 2007.043(b).

⁵ Note that under this provision, the city would *not* be awarded attorney fees if it prevails.

C. PRPRPA: Governmental Taking

The PRPRPA, “a private real property owner may bring suit...to determine whether the governmental action of a political subdivision results in a taking.” PRPRPA § 2007.021. “Whether a governmental action results in a taking is a question of fact.” PRPRPA § 2007.23(a). If a jury finds that a government taking has taken place under the PRPRPA, the government is liable to invalidate the action which resulted in the “taking.” The judgment in favor of the private property owner must have a fact finding that determines the monetary damages suffered by the private property owner. PRPRPA § 2007.024(b). At that point, the governmental entity may elect to pay the damages as compensation to the private real property owner, rather than invalidating its order. PRPRPA § 2007.024(c).

If a private real property owner prevails in a suit under the PRPRPA, the court must award reasonable and necessary attorney’s fees and court costs to the property owner. PRPRPA § 2007.026(a).

For the last several decades, the rural character of South Schertz is what has drawn residents to this subdivision. Both objectively and subjectively, the rural nature of this area is what drives property values. If Schertz takes governmental action and creates a new plan that would allow the largest property in the heart of this subdivision develop everything from Walgreens to massive apartment complexes, the rural character of this subdivision will be eviscerated. With respect to the Torgersons, specifically, I suspect a drastic drop on their home value if the rezoning plan is granted as well as a compensable loss of use and enjoyment of their property, both temporarily and permanently.

Enacting the requested change to the zoning plan currently in place on the Ruhmanns’ property would constitute a governmental taking on the part of the city because the action would adversely affect private real property of neighboring and nearby owners. Accordingly, if the City of Schertz enacts the Ruhmanns’ proposed re-zoning plan, the affected property owners can pursue civil litigation against the city under the PRPRPA.

November 9, 2022

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While the Torgersons optimistically believe the City of Schertz will decline to enact a new zoning plan with respect to the Ruhmanns' property, they are prepared to file a lawsuit against the city and have a jury decide if the rezoning of the Ruhmanns' property constitutes an impermissible government taking as it relates to their affected property. We have faith that the City of Schertz will not betray the public trust by erasing decades of precedent and promises with the flick of a pen.

The city proclaims "community, service, and opportunity" to be Schertz core values. I urge you to keep the promises you've made to the rural South Schertz **community**, honor the **service** of several of Schertz's most distinguished active and retired service members who live in the "Tom Williams" subdivision, and allow those in this rural community to realize the **opportunity** they seized upon when they chose South Schertz as home.

Sincerely,



KACIE STARR

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[enclosures]

PLANNING AND ZONING COMMISSION MEETING: 11/16/2022
Agenda Item 5 C

TO: Planning and Zoning Commission
 PREPARED BY: Emily Delgado, Planning Manager
 CASE: PLZC20220175
 SUBJECT: PLZC20220175– Hold a public hearing, consider and make a recommendation on a request to rezone approximately 0.14 acres of land from Single-Family Residential District (R-2) to Main Street Mixed Use District (MSMU), generally located southeast of the intersection of Randolph Ave and Exchange Ave, also known as 204 Randolph Ave, also known as Guadalupe County Property Identification Number 67555, Guadalupe County, Texas.

GENERAL INFORMATION:

Owner / Applicant: MM STX, LLC / Nick Marquez

APPLICATION SUBMITTAL DATE:

Date	Application Type
October 9, 2022	Request for Rezone

PUBLIC NOTICE:

Twenty-three (23) public hearing notices were mailed to surrounding property owners within two hundred (200) feet of the subject property on November 3, 2022 with a public hearing notice to be published in the “San Antonio Express” prior to the City Council public hearing. At the time of this staff report one (1) response in favor of the zoning request has been received.

ITEM SUMMARY:

The applicant is proposing to rezone approximately 0.14 acres of land from Single-Family Residential District (R-2) to Main Street Mixed Use District (MSMU). The property is located at 204 Randolph Ave and currently has one residential structure.

LAND USES AND ZONING:

	Zoning	Land Use
Existing	Single-Family Residential District (R-2)	Single-Family Dwelling
Proposed	Main Street Mixed Use District (MSMU)	Commercial / Parking

Adjacent Properties:

	Zoning	Land Use
North	Right-of-Way	Exchange Ave
South	Main Street Mixed Use (MSMU)	Office
East	Single Family Residential (R-2)	Residential
West	Right-of-Way	Randolph Ave

PROPOSED ZONING:

The request is to rezone approximately 0.14 acres of land from Single Family Residential District (R-2) to Main Street Mixed Use District (MSMU), in order to utilize the property for commercial purposes and for additional parking space which will benefit 603 Main Street, 204 Randolph, and 539 Main Street.

CONFORMANCE WITH THE COMPREHENSIVE PLAN:

The Sector Plan amendment to the Comprehensive Land Use Plan (CLUP) designates the subject property as part of Historic Downtown Schertz. The objective for Historic Downtown Schertz is to leverage Schertz's history and heritage to create a unique destination with local independent businesses, while encouraging the use of existing buildings. The Main Street Mixed-Use District (MSMU) was created to help achieve these objectives. The Main Street Mixed Use District (MSMU) is intended to provide a base zoning district to the area along Main Street, and surrounding right of ways. In light of the history of the area and variety of land uses that exist, this zoning district allows for both single-family residential uses and low intensity commercial uses. Reduced setbacks and parking requirements are also provided as part of this district due to physical constraints.

- Comprehensive Plan Goals and Objectives: The proposed zone change to Main Street Mixed Use District (MSMU) is in conformance with the Comprehensive Plan, because the new zoning district will allow the subject property to accomplish the goals set out for Historic Downtown Schertz.
- Impact of Infrastructure: The proposed rezoning request should have a minimal impact on the existing water and wastewater systems
- Impact of Public Facilities/Services: The proposed rezoning request will have minimal impact on public services, such as schools, fire, police, parks and sanitation services.
- Compatibility with Existing and Potential Adjacent Land Uses: The subject property is currently surrounded by a single-family dwelling, a counselors' office, and right-of-way, with commercial businesses in the vicinity along Main Street and across Randolph Ave (The Hidden Grove). The Main Street Mixed Use District (MSMU) will allow for either low intensity commercial or single-family residential, both of which are compatible with the adjacent land uses.

STAFF ANALYSIS AND RECOMMENDATION:

The Comprehensive Land Use Plan identifies this area as Historic Downtown Schertz which is intended to leverage Schertz's history and heritage to create a unique destination with local independent businesses, encouraging the use of existing buildings. The rezoning request will have a minimal impact on the public infrastructure, facilities or services and is consistent with the Comprehensive Land Use Plan and compatible with the surrounding land uses.

The applicant is proposing to rezone the property from the current Single Family Residential District (R-2) to Main Street Mixed Use District (MSMU), which will allow for single family dwellings or low intensity commercial land uses. Based on the new zoning district's compatibility with the Comprehensive Land Use Plan and the land uses of the adjacent properties, the Main Street Mixed Use District (MSMU) is the most appropriate zoning district for the subject property.

Staff recommends approval of the zone change application as submitted.

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

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

COMMISSIONERS CRITERIA FOR CONSIDERATION:

The Planning and Zoning Commission is making a recommendation to City Council on the proposed zoning application. In considering action on a zoning application, the Commission should consider the criteria within UDC Article 5 , Section, 21.5.4 D.

Attachments

Aerial Map

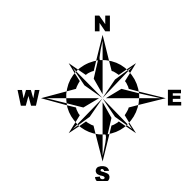
Public Hearing Notice Map

Zoning Exhibit

Public Hearing Response



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



SCHERTZ
COMMUNITY • SERVICE • OPPORTUNITY

204 RANDOLPH AVE
(PLZC20220175)

- | | | | |
|--------------------|----------------------------|----------------------------------|--------------------------------|
| <all other values> | <all other values> | Planned Secondary Arterial | Commercial Collector B |
| Highways | Freeway | Secondary Rural Arterial | Planned Commercial Collector B |
| Major Roads | Principal Arterial | Planned Secondary Rural Arterial | Commercial Collector A |
| Minor Roads | Planned Principal Arterial | Residential Collector | Planned Commercial Collector A |
| Other Cities | Secondary Arterial | Planned Residential Collector | |

- | | | | |
|----|-----|-----|---------------------|
| 1" | 8" | 20" | Schertz Gravity |
| 2" | 10" | 24" | Schertz Pressure |
| 3" | 12" | 30" | Neighboring Gravity |
| 4" | 16" | 36" | Private Pressure |
| 6" | 18" | | |

- | | |
|----------|----------------------------|
| Hydrant | 200' Buffer |
| Manholes | Schertz Municipal Boundary |
| | County Boundaries |

0 37.5 75 150 225 300 Feet

1 Inch = 75 Feet



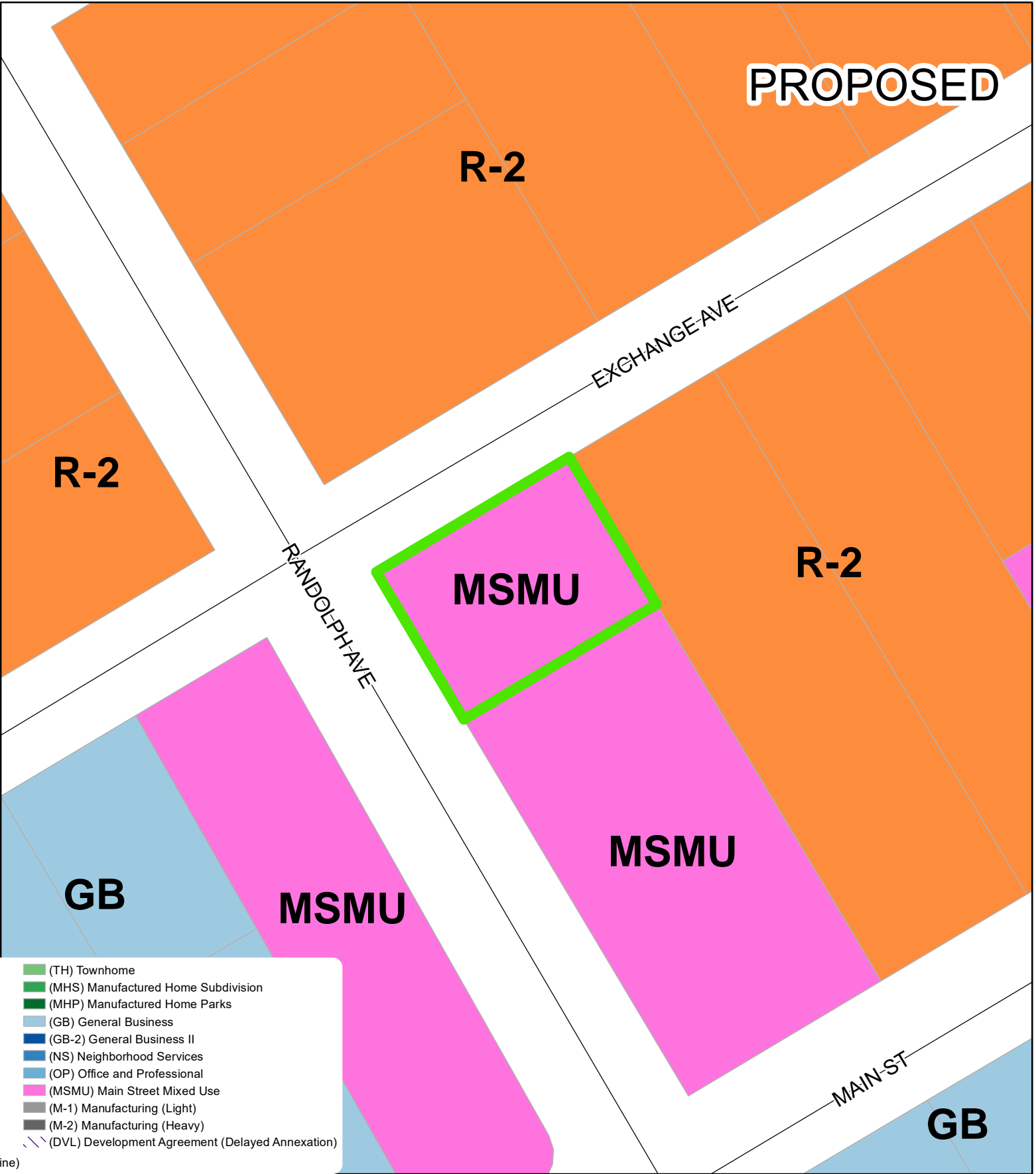
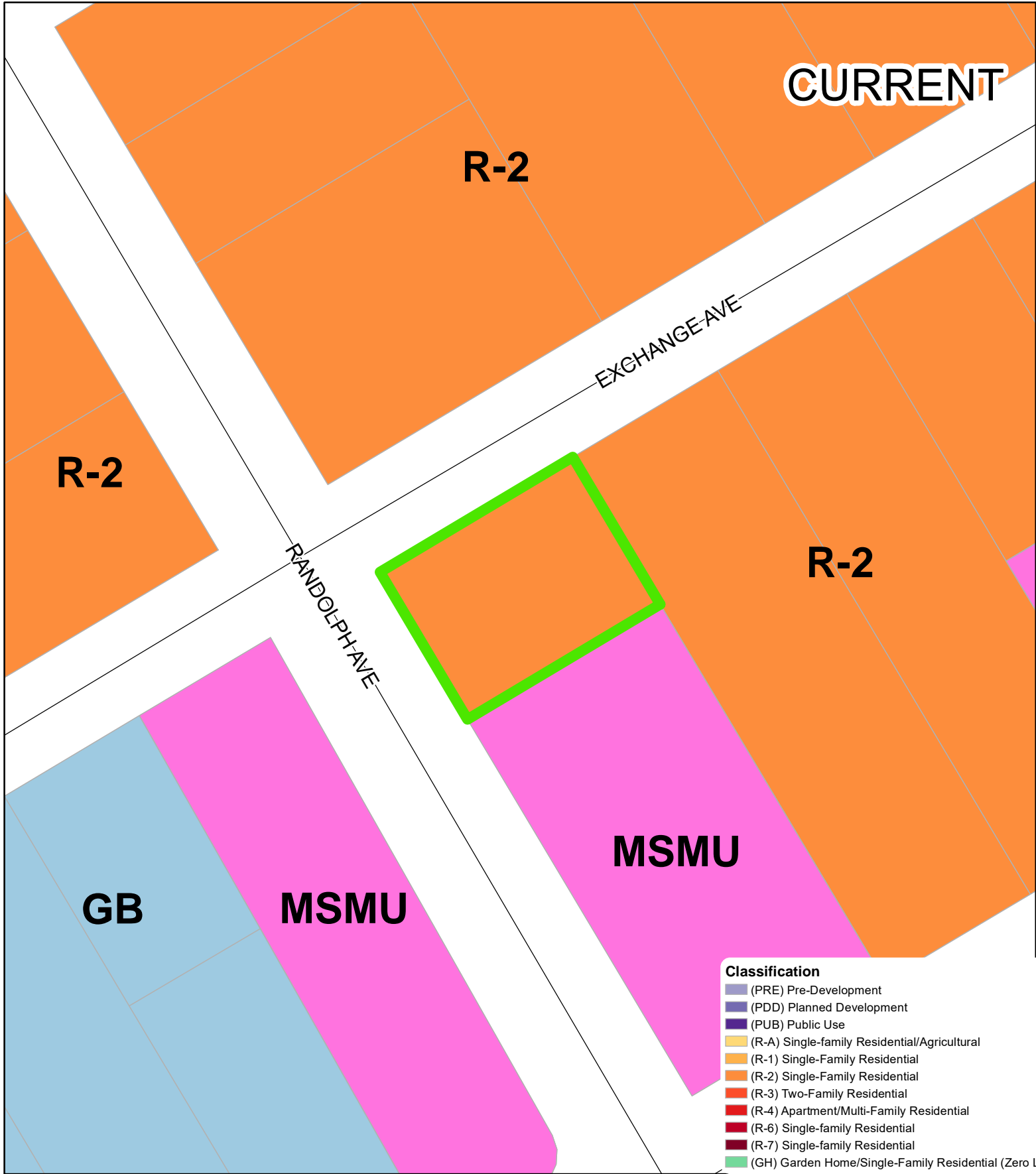
City of Schertz

204 Randolph Ave (PLZC20220175)



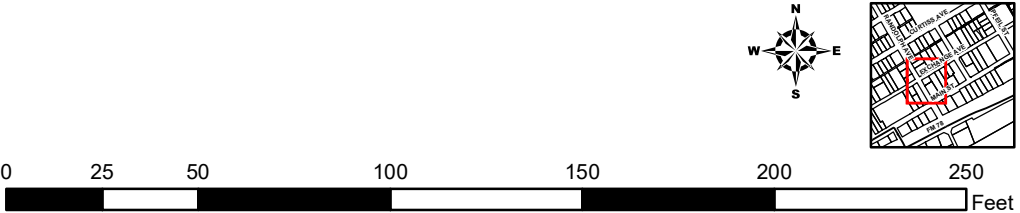
Project Area 200' Buffer





Proposed Zoning
Change

204 Randolph Ave
ABS: 221 SUR: G MALPAZ 0.1400 AC.



NOTICE OF PUBLIC HEARING

November 3, 2022

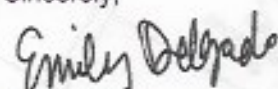
Dear Property Owner,

The Schertz Planning and Zoning Commission will conduct a public hearing on **Wednesday, November 16, 2022** at **6:00 p.m.** located at the Municipal Complex Council Chambers, 1400 Schertz Parkway, Building #4, Schertz, Texas to consider and make recommendation on the following item:

PLZC20220175— A request to rezone approximately 0.14 acres of land from Single-Family Residential District (R-2) to Main Street Mixed Use District (MSMU), generally located southeast of the intersection of Randolph Ave and Exchange Ave, also known as 204 Randolph Ave, also known as Guadalupe County Property Identification Number 67555, Guadalupe County, Texas.

The Planning and Zoning Commission would like to hear how you feel about this request and invites you to attend the public hearing. *This form is used to calculate the percentage of landowners that support and oppose the request.* You may return the reply form below prior to the first public hearing date by mail or personal delivery to Emily Delgado, Planning Manager, 1400 Schertz Parkway, Schertz, Texas 78154, by fax (210) 619-1789, or by e-mail edelgado@schertz.com. If you have any questions, please feel free to call Emily Delgado, Planning Manager directly at (210) 619-1784.

Sincerely,

Emily Delgado
Planning Manager

Reply Form

I am: in favor of ☒ opposed to ☐ neutral to ☐ the request for **PLZC20220175**

COMMENTS: _____

NAME: MIKE KIRBY

(PLEASE PRINT)

SIGNATURE Mik KirbySTREET ADDRESS: 605 EXCHANGEDATE: 7 NOV 22

PLANNING AND ZONING COMMISSION MEETING: 11/16/2022
Agenda Item 5 D

TO: Planning and Zoning Commission
 PREPARED BY: Emily Delgado, Planning Manager
 CASE: PLUDC20220135
 SUBJECT: PLUDC20220135 Hold a public hearing, workshop and discussion, and possible action to make a recommendation on amendments of Part III, Schertz Code of Ordinances, Unified Development Code (UDC), to Article 5, Section 21.5.11- Specific Use Permit (SUP), Article 9, Section 21.9.7- Landscaping, and Article 10, Section 21.10.4- Schedule of off-street parking requirements. ***Postponed at the October 26, 2022, Planning and Zoning Commission Meeting***

GENERAL INFORMATION:

As stated in the Unified Development Code (UDC), City Council from time to time, on its own motion, or at the recommendation of City staff amend, change, or modify text in any portion of the UDC to establish and maintain stable and desirable development. It is generally considered good practice to periodically review and update the development regulations due to changing conditions, community goals, and/or State and Federal regulations.

The proposed UDC amendments include modifications to the following Articles and Subsections:

- Article 5, Section 21.5.11- Specific Use Permit (SUP); to remove the requirement for an accompanying Site Plan application
- Article 9, Section 21.9.7- Landscaping; to modify the regulations for landscaping for commercial and multi-family development to allow developers to be able to select two of the approximately 11 requirements they do not have to meet.
- Article 10, Section 21.10.4- Schedule of off-street parking requirements; to modify the parking ratio requirement for Multifamily, Duplex, Two-Family, Condominium Or Other Similar Use

Background: At the August 24, 2022, Planning and Zoning Commission Meeting staff requested that the Commission postpone the item to the next Planning and Zoning Commission Meeting. At the September 14, 2022 Planning and Zoning Commission meeting there was a public hearing and discussion on the proposed UDC amendments. At the end of the discussion the Planning and Zoning Commissioners requested to take no action, and for staff to bring this item back as a workshop / discussion at the next meeting.

PROPOSED AMENDMENTS

Staff is proposing modifications to the following UDC Articles and Sections:

UDC Section	Current Requirements	Proposed Amendment
Article 5, Section 21.5.11 Specific Use Permit (SUP); specifically subsection B.2:	<i>Accompanying Applications.</i> An application for a Specific Use Permit shall be accompanied by a Site Plan prepared in accordance with section 21.12.14. Approval of a Site Plan as part of a Specific Use Permit shall meet the requirements for Site Plan approval under section 21.12.14.	Proposing to remove this subsection in its entirety and no longer require a site plan application for a Specific Use Permit application.
Article 5, Section 21.5.11 Specific Use Permit (SUP); specifically subsection D.8:	The proposed use and associated Site Plan promote the health, safety or general welfare of the City and the safe, orderly, efficient and healthful development of the City;	The proposed use is to promote the health, safety or general welfare of the City and the safe, orderly, efficient and healthful development of the City;

Article 9, Section 21.9.7 Landscaping	Currently commercial and multifamily projects have approximately 11 requirements for landscaping that have to be met (excluding size and species requirements).	This amendment allows developers to select two of those provisions they do not have to meet.
Article 10, Section 21.10.4 Schedule of off-street parking requirements; specifically for "Multifamily, Duplex, Two-Family, Condominium Or Other Similar Use"	1.5 spaces per 1 bedroom unit 2 spaces per 2 bedroom unit 2.5 spaces per 3+ bedroom unit Plus additional guest parking provided at a ratio of 5% of required spaces	1.5 spaces for 1-2 bedroom units 2 spaces for 3+ bedroom units Plus additional guest parking provided at a ratio of 5% of required spaces

STAFF ANALYSIS AND RECOMMENDATION:

Staff is proposing to remove the requirement for an applicant to submit a Site Plan application with a Specific Use Permit due to the time and cost investment for the applicant this requirement causes. By removing the Site Plan application requirement it will allow a property owner the ability to submit for a Specific Use Permit to see if their desired land use would be allowed by City Council without having to go through full design and engineering at risk. If the Specific Use Permit were to be approved by City Council, the applicant would then be required to follow the standard development process to include the Site Plan to ensure compliance with all City regulations.

It is not uncommon for specific site constraints to make it difficult for developers to meet every landscaping requirement for commercial and multi-family sites. This might be due to a significant number of easements across the front of the property or an oddly shaped lot making it difficult to provide all of the trees or operational issues making landscaping islands a problem. This change allows developers to select two of the approximately 11 requirements (exclusive of size and species requirements) that they do not have to be met. This is part of a push to provide greater flexibility.

The last proposal included within this UDC Amendment is to modify the current parking ratio for "Multifamily, Duplex, Two-Family, Condominium or Other Similar Use". The proposed UDC text would decrease the requirements for 2 bedroom and 3+ bedroom units. This proposal is to provide more flexibility for developers and to decrease the overall parking areas that would be required. No other modifications to the Schedule of Off-Street Parking Requirements table are proposed at this time.

Staff recommends approval of the amendments to the Unified Development Code (UDC) for the indicated subsections within Article 5, 9, and 10 as presented.

COMMISSIONERS CRITERIA FOR CONSIDERATION:

The Planning and Zoning Commission in making a recommendation to City Council on the proposed Unified Development Code Amendment. In considering action on a UDC Amendment, the Commission should consider the criteria within UDC, Section 21.4.7 D:

1. The proposed amendment promotes the health, safety, or general welfare of the City and the safe, orderly, efficient and healthful development of the City;
2. An amendment to the text is consistent with other policies of this UDC and the City;
3. Any proposed amendment is consistent with the goals and objectives of this UDC and the City; and
4. Other criteria which, at the discretion of the Planning and Zoning Commission and the City Council, are deemed relevant and important in the consideration of the amendment.

Attachments

Proposed UDC Amendment- Article 5 Section 21.5.11 SUP- Red Lines

Proposed UDC Amendment- Article 10 Section 21.10.4 Parking Ratio- Red Lines

Sec. 21.5.11. Specific Use Permit (SUP).

- A. *Applicability.* Specific Use Permits allow for discretionary City Council approval of uses with unique or widely varying operating characteristics or unusual site development features, subject to the terms and conditions set forth in this UDC. These uses and the districts where they may be located are listed in Table 21.5.8. Certain uses located within the AICUZ zone require an SUP. Approval of a Specific Use Permit authorizes a property owner to submit subsequent development applications consistent with the approved sup.
- B. *Application Requirements.*
1. *Application Required.* Any request for a Specific Use Permit (SUP) shall be accompanied by an application and SUP exhibit prepared in accordance with the Development Manual.
 2. ~~*Accompanying Applications.* An application for a Specific Use Permit shall be accompanied by a Site Plan prepared in accordance with section 21.12.14. Approval of a Site Plan as part of a Specific Use Permit shall meet the requirements for Site Plan approval under section 21.12.14.~~
 - 3 2. *Tax Certificate Required.* All applications made as a request for a Specific Use Permit shall be accompanied by a copy of a Tax Certificate.
- C. *Processing of Application and Decision.*
1. *Submittal.* An application for a Specific Use Permit shall be submitted to the City Manager or his/her designee. The City Manager or his/her designee shall review the application for completeness in accordance with section 21.4.2. The City Manager or his/her designee may, at its option, request a recommendation from any other City Department or consultant. The City Manager or his/her designee shall notify the applicant of items requiring correction or attention before providing a recommendation on the application. After appropriate review, the City Manager or his/her designee shall forward a written recommendation to the Planning and Zoning Commission for consideration.
 2. *Notification requirements.* An application for a Specific Use Permit requires the following notification in accordance with section 21.4.3:
 - a. Written notice prior to consideration by the Planning and Zoning Commission; and
 - b. Published notice prior to consideration by the City Council.
 3. *Commission Recommendation.* The Planning and Zoning Commission shall hold a public hearing in accordance with the Texas Open Meetings Act and section 21.4.4 and make a written recommendation regarding a proposed Specific Use Permit to the City Council. The Planning and Zoning Commission may recommend approval, approval with conditions, or denial of the SUP. The Planning and Zoning Commission may, on its own motion or by request of the property owner, postpone consideration of the request to a certain date that is not more than thirty (30) calendar days after the date of the current consideration in order to review additional information or modifications which may have a direct bearing on the recommendation to the City Council.
 4. *Decision by City Council.* The City Council shall receive the written recommendation of the Planning and Zoning Commission regarding a proposed Specific Use Permit and shall hold a public hearing in accordance with the Texas Open Meetings Act and section 21.4.4. The City Council may vote to approve, approve with conditions, or deny the SUP. The City Council may, on its own motion or by request of the property owner, postpone consideration of the request to a certain date that is not more than thirty (30) calendar days after the date of the current consideration in order to review additional information or modifications which may have a direct bearing on the final decision.

Proposed UDC Amendment- Article 5 Section 21.5.11 SUP- Red Lines

- D. *Criteria for Approval.* The Planning and Zoning Commission, in making its recommendation, and the City Council, in considering final action on a Specific Use Permit, should consider the following criteria:
1. The proposed use at the specified location is consistent with the policies embodied in the adopted Comprehensive Land Plan;
 2. The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations;
 3. The proposed use is compatible with and preserves the character and integrity of adjacent developments and neighborhoods, and includes improvements either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as safety, traffic, noise, odors, visual nuisances, drainage or other similar adverse effects to adjacent development and neighborhoods;
 4. The proposed use does not generate pedestrian and vehicular traffic which will be hazardous or conflict with the existing and anticipated traffic in the neighborhood;
 5. The proposed use incorporates roadway adjustments, traffic control devices or mechanisms, and access restrictions to control traffic flow or divert traffic as may be needed to reduce or eliminate development generated traffic on neighborhood streets;
 6. The proposed use incorporates features to minimize adverse effects, including visual impacts, of the proposed use on adjacent properties;
 7. The proposed use meets the standards for the zoning district, or to the extent variations from such standards have been requested, that such variations are necessary to render the use compatible with adjoining development and the neighborhood;
 8. The proposed use ~~and associated Site Plan~~ promote the health, safety or general welfare of the City and the safe, orderly, efficient and healthful development of the City;
 9. No application made under these provisions will receive final approval until all back taxes owed to the City have been paid in full; and
 10. Other criteria which, at the discretion of the Planning and Zoning Commission and City Council are deemed relevant and important in the consideration of the Specific Use Permit.
- E. *Conditions.* The Planning and Zoning Commission, in making its recommendation, and the City Council, in considering final action, may require such modifications in the proposed use and attach such conditions to the Specific Use Permit as deemed necessary to mitigate adverse effects of the proposed use and to carry out the spirit and intent of this section. Conditions and modifications may include but are not limited to limitation of building size or height, increased open space, limitations on impervious surfaces, enhanced loading and parking requirements, additional landscaping, curbing, sidewalk, vehicular access and parking improvements, placement or orientation of buildings and entryways, buffer yards, landscaping and screening, signage restrictions and design, maintenance of buildings and outdoor areas, duration of the permit and hours of operation.
- F. *Expiration of Specific Use Permit.* A Specific Use Permit shall expire if any of the following occurs:
1. A building permit, if necessary, for the use has not been approved within one (1) year after the approval of the SUP;
 2. A building permit approved as a result of the approval of the SUP expires within two (2) years after the approval of the SUP;
 3. The use has been abandoned or discontinued for a period of time exceeding six (6) months; or
 4. The SUP expires in accordance with its terms.

Proposed UDC Amendment- Article 5 Section 21.5.11 SUP- Red Lines

(Ord. No. 18-S-04 , § 1(Exh. A), 1-23-2018)

Proposed UDC Amendment- Article 10 Section 21.10.4 Parking Ratio- Red Lines

Sec. 21.10.4. Schedule of off-street parking requirements.

- A. Off-street parking shall be provided in sufficient quantities to provide the following ratio of vehicle spaces for the uses specified in the districts designated:

Table 21.10.4 Schedule of Off-Street Parking Requirements	
Use Type	Parking Requirement
Amusement, Commercial (Indoor)	1 space for each 200 square feet of gross floor area
Amusement, Commercial (Outdoor)	1 space per 500 square feet of outdoor site area plus 1 space per each 4 fixed spectator seats
Assisted Care, Living Facility, Care Facility	1 parking space for each 2 beds
Bank, Savings And Loan, Or Other Financial Institution	1 space for each 250 square feet of gross floor area
Bar Or Night Club	1 space for each 50 square feet of gross floor area
Bed And Breakfast	1 space for each guest room plus 1 space per employee
Bowling Alley	5 parking spaces for each lane
Car Wash	1 space for each 200 Square feet of floor area
Day Care Center	1 space per 250 square feet of gross floor area
Fitness Center/Gym	1 space for each 250 square feet of gross floor area
Convenience Store/Gas Station	1 space for each 250 square feet of gross floor area. Spaces provided for fueling at the pump stations shall not be considered parking spaces.
Group Home	4 spaces
Hospital	1 parking space for each bed
Hotel Or Motel	1 space for each sleeping room or suite plus 1 space for every 200 square feet of common area not designated as sleeping rooms
Lodging Houses And Boarding Houses	1 parking space for each bedroom
Manufacturing, Processing Or Repairing	1 space for each 2 employees or 1 space for each 1,000 square feet of total floor area, whichever is greater
Medical Or Dental Clinic	1 space for each 200 square feet of total floor area
Mini-warehouse/Public Storage	1 space for each 300 square feet of office floor area plus 1 space for each 3,000 square feet of storage area
Mortuary/Funeral Home	1 parking space for each 50 square feet of floor space in service rooms or 1 space for each 3 seats, whichever is less based on maximum design capacity)
Multifamily, Duplex, Two-Family, Condominium Or Other Similar Use	1.5 spaces per 1 bedroom unit 2 spaces per 2 bedroom unit 2.5 spaces per 3+ bedroom unit Plus additional guest parking provided at a ratio of 5% of required spaces 1.5 spaces for 1–2 bedroom units 2 spaces for 3+ bedroom units Plus additional guest parking provided at a ratio of 5% of required spaces

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Proposed UDC Amendment- Article 10 Section 21.10.4 Parking Ratio- Red Lines

Nursery	1 space per 300 square feet of total sales area Wholesale nursery: 1 parking space per employee of the largest work shift, plus 1 space per 10,000 square feet of display area and 1 space per acre of growing areas
Offices	1 space for each 250 square feet of gross floor area
Outdoor Facilities (Outdoor Recreational Fields i.e. Football, Soccer, etc.)	20 spaces per designated field or 1 per 4 person design capacity
Public Use	Parking shall be provided at a ratio approved by City staff based on a parking study provided by the applicant
Residence Halls, Fraternity Buildings And Sorority Buildings	1 space per person capacity of permanent sleeping facilities
Restaurants	1 parking space for each 100 square feet of gross floor area, or 1 space for each 4 seats, whichever is less (based on maximum design capacity)
Retail Sales And Service	1 space for each 250 square feet of gross floor area
School, High School, Vocational, All Other Schools	Parking shall be provided at a ratio approved by City staff based on a parking study provided by the applicant that shall include vehicle stacking requirements
Single Family Attached And Detached Dwelling Units	2 parking spaces per dwelling unit
Theaters, Auditoriums, Churches, Assembly Halls, Sports Arenas, Stadiums, Conference Center, Convention Center, Dance Hall, Exhibition Halls, Or Other Place Of Public Assembly	1 space for each 4 seats or 1 space for every 100 square feet of gross floor area, whichever is less (based on maximum design capacity)
Automobile Sales Or Rental	1 space for each 3,000 square feet of sales area (open and enclosed) devoted to the sale, display or rental of vehicles
Automobile Service, Repair, Garage	1 space for each 200 square feet of total floor area
Warehouse	1 space for each 1,000 square feet of total floor area

B. *New and Unlisted Uses.* When a proposed land use is not classified in this section or a single use which have varying parking needs depending on the function of that specific single use, an applicant may submit a parking ratio based on best/current planning and transportation practices.

1. A best/current parking ratio application should include the following:
 - a. An application shall fully cite the sources used to derive the applicant-submitted parking ratio, possible resources include parking standards material from the Institute of Transportation Engineers (ITE) or the American Planning Association (APA).
 - b. The City Manager or his/her designee shall review the applicant submitted parking ratio to confirm best/current planning practices for a use.
 - c. The City Manager or his/her designee shall approve, modify, or deny the applicant submitted parking ratio.
2. Parking ratio determination where no application is submitted

Proposed UDC Amendment- Article 10 Section 21.10.4 Parking Ratio- Red Lines

- a. If the applicant does not submit a parking ratio, then the City Manager or his/her designee shall determine the parking ratio based on the best/current planning and transportation practices.
- C. *Mixed uses.* In the event that several users occupy a single structure, or parcels of land, the total requirements for off street parking shall be the sum of the requirements for the several uses computed separately unless it can be shown that the peak parking demands are offset, for example with retail and residential, or theater and office uses. In such case the City Manager or his/her designee may reduce the total requirements accordingly, but not more than twenty-five percent (25%).
- D. *Joint use of facilities.* Required parking facilities of two (2) or more uses, structures, or parcels of land may be satisfied by the same parking facility used jointly, to the extent that it can be shown by the owners or operators that the need for the facilities does not materially overlap and provided that such right of joint use is evidenced by a deed, lease, contract, or similar written instrument establishing the joint use.
- E. *Properties zoned main street mixed-use.* Properties zoned Main Street Mixed-Use shall only be required to provide two (2) on-site parking spaces but must still provide the minimum required number of handicapped spaces on site.

(Ord. No. 14-S-47 , § 5, 11-18-2014; Ord. No. 16-S-27 , § 7, 8-30-2016; Ord. No. 18-S-03 , § 1(Exh. A), 1-23-2018)

PLANNING AND ZONING COMMISSION MEETING: 11/16/2022
Agenda Item 6 A

TO: Planning and Zoning Commission
 PREPARED BY: Sam Haas, Planner
 CASE: PLPP20220192
 SUBJECT: PLPP20220192 Consider an act upon request for approval of a preliminary plat of the Homestead Unit 11 Subdivision, an approximately 22 acre tract of land approximately 1,500 feet southwest of Homestead Parkway, City of Schertz, Guadalupe County, Texas

GENERAL INFORMATION:

Owner: ILF N-T LP
 Applicant: Malone/Wheeler Inc.

APPLICATION SUBMITTAL DATE:

Date:	Application Submittal Type:
11/03/2022	Preliminary Plat

ITEM SUMMARY:

The applicant is proposing to preliminary plat approximately 22 acres of land establishing 62 detached single family residential lots with a minimum lot size of 9,000 square feet as dictated by the Planned Development District Design standards in Ordinance 17-S-02.

Typical Lot Dimensions			
Code	Area Square Feet	Width (feet)	Depth (feet)
SF-75	9,000	75	120

The site is zoned Planned Development District (PDD). This preliminary plat was reviewed using the PDD Ordinance 17-S-02 design standards and the current UDC, Ordinance 11-S-15 as amended.

GENERAL LOCATION AND SITE DESCRIPTION:

The property is located approximately 1,500 feet from the terminus of Homestead Parkway, approximately 1 mile south of the IH-35 access road.

ACCESS AND CIRCULATION:

The UDC, Article 14, requires that all residential subdivisions have a minimum of two (2) locations accessing existing public streets. This unit is designed to have one (1) point of access from Fred Couples, one (1) point of access from Hutchinson way which will be constructed with Unit 5 and Unit 9 and continues to Homestead Parkway, and one (1) point of access at Reeves Lane to Gains Gap and then to Sundown Parkway that will be constructed with Unit 9 which extends to Homestead Parkway. Prior to recording the final plat for this Unit, the final plat for Homestead Unit 5 and Homestead Unit 9 must be filed with the County Clerk's office.

TREE MITIGATION AND PRESERVATION:

The applicant is responsible for complying with the Unified Development Code (UDC), Section 21.9.9 Tree Preservation and Mitigation. The applicant has submitted a tree affidavit which indicates that the site does not contain protected or heritage trees.

PUBLIC SERVICES:

The site is serviced by Schertz water and sewer, Green Valley Special Utility District (GVSUD) for water, Cibolo Creek Municipal Authority (CCMA) Guadalupe Valley Electric Coop (GVEC), AT&T, Spectrum, and Center Point Energy.

PUBLIC IMPROVEMENTS:

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

Water: The site will be serviced by both Green Valley Special Utility District as well as City of Schertz through an 8" water line that will extend throughout the subdivision and be stubbed for future development.

Sewer: The site will be serviced by an 8" sewer lines that will extend throughout the subdivision and be stubbed for future development.

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

Sidewalks, Hike and Bike Trails: Sidewalks will be constructed along both sides of the street throughout the subdivision. All sidewalks will be designed to meet the City of Schertz specifications.

Parks: An approximately 15 acre public park with improvements is being proposed in the Homestead Master Development Plan as well as approximately 56 acres of private open space. The overall recreation and open space master plan was reviewed by the Parks and Recreation Advisory Board and approved as part of the PDD Ordinance 14-S-29. The open space and parkland amenities will include both passive and active areas, as well as pathway and hike and bike trails which will provide links between the city park, open spaces, neighborhoods, and the SCUCISD school site. Open space and park improvements will include such amenities as play scapes, sport courts, playing fields, pavilions, picnic tables, and natural water features. No parkland is being dedicated with this plat. The applicant and the City entered into a parkland development agreement that was executed January 4, 2017

Road Improvements: All streets will be developed to City of Schertz specifications. Construction plans for all public improvements will be submitted for review and approval by the Public Works and Engineering Departments prior to the approval of the final plat.

STAFF ANALYSIS AND RECOMMENDATION:

The preliminary plat is consistent with the applicable requirements, ordinances, and regulations for this property. It has been reviewed with no objections by the Engineering, Public Works, Fire, and Planning Departments.

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

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

COMMISSIONERS CRITERIA FOR CONSIDERATION:

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

Attachments

Preliminary Plat Exhibit



HOMESTEAD UNIT 9
DOC. NO. _____
O.P.R.G.C.TX.

SHEET 2 OF 3

LINE AND CURVE TABLES

CURVE	RADIUS	ARC	CHORD	BEARING	DELTA	CURVE	RADIUS	ARC	CHORD	BEARING	DELTA
C1	15.00'	23.58'	21.23'	S75°22'57"E	90°04'57"	C47	15.00'	7.11'	7.05'	S48°11'50"W	27°10'33"
C2	575.00'	87.65'	87.56'	S80°32'54"E	8°44'01"	C48	850.00'	6.54'	6.54'	N59°02'02"E	0°26'26"
C3	15.00'	25.52'	22.55'	S27°27'04"E	97°27'38"	C49	850.00'	72.86'	72.83'	N56°21'29"E	4°54'40"
C4	15.00'	23.65'	21.27'	N66°51'34"E	90°20'02"	C50	850.00'	72.86'	72.83'	N51°26'49"E	4°54'40"
C5	15.00'	21.71'	19.86'	S23°14'40"E	82°54'29"	C51	850.00'	72.86'	72.83'	N46°32'09"E	4°54'40"
C6	15.00'	27.60'	23.87'	N69°22'40"E	105°25'51"	C52	850.00'	18.89'	18.89'	N43°26'37"E	1°16'24"
C7	15.00'	23.58'	21.22'	N18°22'58"W	90°03'11"	C53	855.00'	85.34'	85.31'	S45°39'59"W	5°43'08"
C8	855.00'	49.25'	49.25'	N51°46'42"E	3°18'02"	C54	855.00'	23.91'	23.91'	S49°19'37"W	1°36'08"
C9	15.00'	23.69'	21.30'	S81°19'30"E	90°29'33"	C55	735.00'	37.52'	37.51'	S49°41'57"W	2°55'28"
C10	24.86'	38.69'	34.91'	S08°11'49"W	89°10'40"	C56	735.00'	69.66'	69.63'	S45°31'19"W	5°25'48"
C11	665.00'	96.96'	96.88'	S46°59'03"W	8°21'16"	C57	940.00'	18.93'	18.93'	N43°23'02"E	1°09'13"
C12	1010.00'	289.93'	288.93'	S51°01'50"W	16°26'50"	C58	940.00'	83.19'	83.17'	N46°29'46"E	5°04'15"
C13	125.00'	35.62'	35.50'	S38°30'20"E	16°19'42"	C59	940.00'	83.19'	83.16'	N51°34'01"E	5°04'14"
C14	15.00'	9.10'	8.96'	S29°16'56"E	34°46'29"	C60	940.00'	83.17'	83.14'	N56°38'12"E	5°04'09"
C15	50.00'	125.31'	95.00'	S83°41'29"E	143°35'35"	C61	940.00'	1.36'	1.36'	N59°12'46"E	0°04'58"
C16	15.00'	9.76'	9.59'	N43°08'55"E	37°16'22"	C62	715.00'	34.40'	34.39'	S28°57'47"E	2°45'23"
C17	525.00'	23.19'	23.19'	N60°31'11"E	2°31'51"	C63	715.00'	83.78'	83.74'	S24°13'41"E	6°42'50"
C18	850.00'	244.00'	243.16'	N51°01'50"E	16°26'50"	C64	715.00'	83.78'	83.74'	S17°30'51"E	6°42'50"
C19	855.00'	109.25'	109.18'	N46°28'03"E	7°19'16"	C65	715.00'	83.78'	83.74'	S10°48'00"E	6°42'50"
C20	735.00'	107.17'	107.08'	S46°59'03"W	8°21'16"	C66	715.00'	83.78'	83.74'	S04°05'10"E	6°42'50"
C21	940.00'	269.83'	268.91'	S51°01'50"W	16°26'50"	C67	715.00'	83.78'	83.74'	S02°37'40"W	6°42'50"
C22	715.00'	628.05'	608.05'	S05°10'38"E	50°19'41"	C68	715.00'	87.46'	87.40'	S09°29'20"W	7°00'29"
C23	15.00'	22.31'	20.31'	S12°16'04"W	85°13'06"	C69	715.00'	87.27'	87.22'	S16°29'23"W	6°59'37"
C24	800.00'	61.12'	61.10'	S57°03'56"W	4°22'38"	C70	665.00'	69.15'	69.12'	S17°00'27"W	5°57'29"
C25	475.00'	20.98'	20.98'	S60°31'11"W	2°31'51"	C71	665.00'	104.39'	104.28'	S09°31'53"W	8°59'38"
C26	25.00'	30.76'	28.86'	N82°57'44"W	70°30'20"	C72	665.00'	104.39'	104.28'	S00°32'15"W	8°59'38"
C27	75.00'	22.73'	22.65'	N39°01'31"W	17°22'06"	C73	665.00'	104.39'	104.28'	S08°27'24"E	8°59'38"
C28	450.00'	483.25'	460.36'	S14°06'08"E	61°31'45"	C74	665.00'	104.39'	104.28'	S17°27'02"E	8°59'38"
C29	15.00'	22.95'	20.78'	S01°01'48"E	87°40'26"	C75	665.00'	97.42'	97.33'	S26°08'40"E	8°23'38"
C30	800.00'	86.22'	86.17'	S45°53'40"W	6°10'29"	C76	450.00'	54.10'	54.07'	S41°25'21"E	6°53'19"
C31	15.00'	26.36'	23.09'	N80°40'47"W	100°40'37"	C77	450.00'	73.75'	73.66'	S33°17'00"E	9°23'23"
C32	665.00'	584.13'	565.53'	N05°10'38"W	50°19'41"	C78	450.00'	73.75'	73.66'	S23°53'37"E	9°23'23"
C33	905.00'	116.95'	116.87'	S46°30'33"W	7°24'15"	C79	450.00'	73.75'	73.66'	S14°30'15"E	9°23'23"
C34	15.00'	24.17'	21.64'	S88°58'12"W	92°19'34"	C80	450.00'	73.75'	73.66'	S05°06'52"E	9°23'23"
C35	400.00'	156.02'	155.03'	N33°41'33"W	22°20'54"	C81	450.00'	73.75'	73.66'	S04°16'31"W	9°23'23"
C36	15.00'	24.95'	22.17'	N26°08'21"E	95°18'54"	C82	450.00'	60.42'	60.37'	S12°48'58"W	7°41'33"
C37	125.00'	201.80'	180.59'	N26°32'52"E	92°29'53"	C83	125.00'	35.87'	35.74'	N49°41'11"W	16°26'26"
C38	125.00'	83.35'	81.82'	N38°48'15"W	38°12'20"	C84	125.00'	47.48'	47.20'	N30°35'01"W	21°45'53"
C39	75.00'	50.01'	49.09'	S38°48'15"E	38°12'20"	C85	125.00'	25.46'	25.42'	N13°51'56"W	11°40'18"
C40	75.00'	121.08'	108.35'	S26°32'52"W	92°29'53"	C86	125.00'	64.72'	64.00'	N06°48'09"E	29°39'51"
C41	15.00'	25.29'	22.40'	N58°53'49"W	96°36'46"	C87	125.00'	66.36'	65.59'	N36°50'39"E	30°25'09"
C42	400.00'	190.26'	188.47'	N03°02'09"E	27°15'10"	C88	125.00'	45.25'	45.01'	N62°25'31"E	20°44'34"
C43	50.00'	24.02'	23.79'	S25°39'33"E	27°31'44"	C89	400.00'	133.18'	132.57'	S32°03'24"E	19°04'36"
C44	50.00'	41.31'	40.15'	S63°05'40"E	47°20'30"	C90	400.00'	22.84'	22.84'	S43°13'52"E	3°16'18"
C45	50.00'	59.97'	56.44'	N58°52'24"E	68°43'21"	C91	905.00'	43.77'	43.77'	S44°11'33"W	2°46'17"
C46	15.00'	2.64'	2.64'	S29°33'39"W	10°05'50"	C92	905.00'	73.18'	73.16'	S47°53'41"W	4°37'58"
						C93	75.00'	10.97'	10.96'	S43°31'04"E	8°23'00"
						C94	15.00'	9.37'	9.22'	N36°58'37"E	35°48'00"
						C95	800.00'	17.91'	17.90'	N55°31'05"E	1°16'57"
						C96	800.00'	28.17'	28.17'	N47°58'23"E	2°01'03"
						C97	15.00'	9.92'	9.74'	N67°56'09"E	37°54'29"
						C98	855.00'	5334.22'	37.90'	N52°09'32"E	357°27'37"
						C99	15.00'	83.60'	10.43'	N73°46'08"E	319°19'10"
						C100	400.00'	75.24'	75.13'	S27°54'25"E	10°46'38"
						C101	15.00'	15.49'	14.81'	S07°03'43"W	59°09'38"
						C102	15.00'	14.09'	13.57'	S37°29'27"E	53°48'03"
						C103	400.00'	73.49'	73.39'	S05°19'37"E	10°31'38"
						C104	400.00'	44.18'	44.16'	S03°06'03"W	6°19'42"
						C105	400.00'	72.59'	72.49'	S11°27'49"W	10°23'50"
						C106	15.00'	15.43'	14.76'	S46°08'12"W	58°56'56"

LINE	BEARING	DISTANCE
L1	S30°20'29"E	20.56'
L2	N82°48'37"E	15.01'
L3	S85°39'10"E	90.03'
L4	S20°37'58"W	16.13'
L5	S70°00'48"E	50.00'
L6	N20°50'23"E	19.80'
L7	S17°26'09"W	12.15'
L8	S73°20'15"E	50.00'
L9	N32°05'36"E	50.00'
L10	N60°39'29"W	12.00'
L11	S56°27'47"W	36.22'
L12	S36°04'43"E	80.33'
L13	S51°49'01"W	16.82'
L14	S38°50'19"E	70.00'
L15	S80°32'37"W	12.97'
L16	N61°47'06"E	40.93'
L17	N59°15'15"E	71.20'
L18	S59°15'15"W	71.20'
L19	S61°47'06"W	54.31'
L20	N47°42'34"W	8.08'
L21	S44°52'01"E	98.17'
L22	S42°48'25"W	98.26'
L23	N44°52'01"W	94.92'
L24	N72°47'48"E	21.28'
L25	N19°42'05"W	71.14'
L26	S19°42'05"E	71.14'
L27	S72°47'48"W	20.37'
L28	N35°39'39"W	68.37'
L29	N35°39'39"W	100.90'
L30	N35°39'39"W	95.37'
L31	N26°49'06"W	85.16'
L32	N15°29'45"W	85.16'
L33	N06°45'50"W	68.03'
L34	N03°51'46"E	54.57'
L35	N03°51'46"E	43.13'
L36	N14°30'52"E	42.29'
L37	N14°30'52"E	47.08'
L38	N21°19'57"E	34.92'
L39	S50°38'07"W	97.57'
L40	S42°46'34"W	133.82'
L41	S56°27'47"W	49.86'
L42	N75°25'31"W	51.31'
L43	N53°03'57"E	37.48'
L44	S56°46'21"W	47.75'
L45	S22°21'06"E	87.68'
L46	N10°11'33"W	85.19'
L47	S17°07'50"W	85.04'
L48	N61°47'06"E	8.49'
L49	N49°14'20"E	26.81'

AREA TABLES

BLOCK 22

Lot	Acres	Sq. Feet
1	0.23	9860.89
2	0.22	9630.24
3	0.21	9037.50
4	0.21	9037.50
5	0.21	9037.50
6	0.21	9037.50
7	0.21	9132.42
8	0.22	9409.68
9	0.22	9404.83
10	0.22	9380.73
11	0.21	9032.37
12	0.21	9268.35
13	0.31	13605.19
14	0.33	14223.44
15	0.21	9201.57
16	0.22	9599.42
17	0.23	9975.49
18	0.23	10033.33
19	0.23	10091.17
20	0.25	10794.86
Total	4.56	198794.00

BLOCK 18

Lot	Acres	Sq. Feet
12	0.22	9750.00
13	0.22	9750.00
14	0.22	9750.00
15	0.22	9750.00
16	0.29	12489.80
17	0.27	11714.70
18	0.24	10405.63
19	0.24	10405.63
20	0.24	10620.63
21	0.26	11415.38
22	0.29	12642.66
23	0.30	13030.56
24	0.33	14248.22
25	0.34	15006.49
26	0.34	14636.03
1	0.25	11070.37
Total	4.29	186686.10

BLOCK 21

Lot	Acres	Sq. Feet
1	0.29	12474.61
2	0.24	10275.44
3	0.24	10244.17
4	0.23	10211.71
5	0.24	10280.10
6	0.23	10161.99
7	0.24	10309.80
8	0.30	13142.19
9	0.29	12560.79
10	0.31	13492.04
11	0.29	12554.61
12	0.27	11611.40
13	0.27	11686.01
14	0.27	11718.23
15	0.27	11617.01
16	0.27	11546.71
17	0.26	11287.54
Total	4.48	195174.33

BLOCK 20

Lot	Acres	Sq. Feet
14	0.22	9726.85
15	0.21	9356.19
16	0.24	10407.07
17	0.29	12506.66
18	0.28	12359.14
19	0.34	14846.74
20	0.27	11634.78
21	0.22	9648.32
22	0.32	13756.76
901	0.35	15353.49
Total	2.75	119596.01

PLANNING AND ZONING COMMISSION MEETING: 11/16/2022
Agenda Item 8 A

SUBJECT

Current Projects and City Council Status Update

DEVELOPMENT INFORMATION

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

NEW SITE PLAN APPLICATIONS:

- The following new site plan applications were submitted to the Planning and Community Development Department between October 19, 2022 and November 10, 2022.
 - Blackburn Subdivision Lot 2, Block 1 (650 FM 3009)
 - Site Plan for a proposed 6,943 square foot medical office
 - Schertz Industrial Park Lot 13, Block 2 (17348 Bell North Drive)
 - Site Plan for a proposed 9,446 square foot office / warehouse

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

- Ord. 22-S-41: A request to rezone approximately 15 acres of land to Planned Development District located approximately 2,200 feet southeast of the intersection of Lower Seguin Road and FM 1518
 - Recommended for approval at the September 14th P&Z Meeting (6-0 vote)
 - First Reading at the October 11th City Council Meeting (4-1 vote)
 - Approved at the November 1st City Council Meeting
- Ord. 22-S-42: A request to rezone approximately 31 acres of land from General Business District (GB) to Single-Family Residential District (R-2), the property, a portion of Parcel ID 63998, generally located approximately 1,000 feet to the northwest of the Eckhardt Road and Green Valley Road intersection.
 - Recommended for approval at the October 12th P&Z Meeting (6-0 vote)
 - Scheduled for First Reading at the December 6th City Council Meeting
- Ord. 22-S-44: A request to rezone approximately 75 acres of land from General Business District (GB) and Manufacturing District- Light (M-1) to Planned Development District (PDD), generally located southeast of the intersection of IH 35 and Cibolo Valley Drive, also known as Guadalupe County Property Identification Numbers 68313, 68314, and 148510, City of Schertz, Guadalupe County, Texas.
 - Recommended for approval at the October 26th P&Z Meeting (5-0 vote)
 - Scheduled for First Reading at the December 6th City Council Meeting

ADMINISTRATIVELY APPROVED PROJECTS:

- The following development applications were administratively approved between October 19, 2022 and November 10, 2022.
 - Blackburn Subdivision Lot 2, Block 1 (650 FM 3009) Health Texas Schertz
 - Site Plan for a proposed 6,943 square foot medical office
 - Approval Date: November 10, 2022
 - Schertz Industrial Park Lot 13, Block 2 (17348 Bell North Drive)
 - Site Plan for a proposed 9,446 square foot office / warehouse
 - Approval Date: November 7, 2022
